

Exhibit 46

REPORTER'S RECORD
VOLUME 6 OF 9 VOLUME
TRIAL COURT CAUSE NO. D-1-GN-18-001835

NEIL HESLIN AND SCARLETT) IN THE DISTRICT COURT
LEWIS,)
)
Plaintiffs)
)
VS.) TRAVIS COUNTY, TEXAS
)
ALEX E. JONES AND FREE)
SPEECH SYSTEMS, LLC,)
)
Defendants) 261ST JUDICIAL DISTRICT

TRIAL ON THE MERITS

On the 2nd day of August, 2022, the
following proceedings came on to be heard in the
above-entitled and numbered cause before the Honorable
Maya Guerra Gamble, Judge presiding, held in Austin,
Travis County, Texas;

Proceedings reported by machine shorthand.

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1 TUESDAY, AUGUST 2, 2022 - MORNING PROCEEDINGS

2 *(The following proceedings were held in open*
3 *court in the presence of the jury)*

4 THE COURT: Good morning. Everyone may be
5 seated.

6 Mr. Ball, your next witness.

7 MR. BALL: Plaintiffs call Mr. Neil Heslin
8 to the stand.

9 THE COURT: All right, Mr. Heslin, you'll
10 come in front of me, please, so I can swear you in.
11 Raise your right hand.

12 Do you solemnly swear or affirm under
13 penalty of perjury that the testimony you are about to
14 give shall be the truth, the whole truth, and nothing
15 but the truth?

16 THE WITNESS: I do, Your Honor.

17 THE COURT: Thank you so much. Come have
18 a seat here in the witness stand.

19 I know you've heard me say it but I'll say
20 it again, there's water, there's microphones. If you
21 are loud enough you won't have to lean in too far, I'll
22 let you know if we can't hear you.

23 Remember to let the lawyers completely
24 finish their question before you begin your answer.
25 Take your time. If you don't understand something, ask

1 for clarification. Try to answer out loud in words.

2 And try not to be nervous.

3 THE WITNESS: Yes, Your Honor.

4 THE COURT: It's not an easy thing under
5 any circumstances testifying, but particularly this.

6 THE WITNESS: Thank you.

7 The only thing I ask is that everybody --
8 that counsel speak loud. I don't hear that well.

9 THE COURT: Okay, great. Let's use the
10 microphone and if you're not going to use it you'll
11 project your voice.

12 MR. BALL: I certain will. Can we maybe
13 pull the microphone --

14 THE COURT: The chairs move, right? You
15 can just move the chair a little closer? Hopefully that
16 will work.

17 THE WITNESS: Is one of these a speaker?

18 THE COURT: Yes, the long skinny one is
19 the one that projects into the room.

20 THE WITNESS: Okay. Thank you.

21 THE COURT: Thank you.

22 NEIL HESLIN,

23 Having been duly sworn, testified as follows:

24 ///

25 ///

1 DIRECT EXAMINATION

2 BY MR. BALL:

3 Q. Mr. Heslin, if you would introduce yourself
4 to the Ladies and Gentlemen of the Jury.5 A. My name is Neil Heslin, I'm the father of
6 Jesse McCord Lewis, killed at Sandy Hook Elementary in a
7 school murder December 14th, 2012.8 Q. Mr. Heslin, why is today so important for
9 you?10 A. Today is very important for me and it's been
11 a long time coming. And I feel very good about being
12 here today, to face Alex Jones, to hold him accountable
13 for what he said and did to me, and to restore the honor
14 and the legacy of my son that was tarnished by
15 Mr. Jones.16 Q. Mr. Heslin, you might have seen yesterday
17 that Mr. Jones' attorney said that he would be here
18 today. You might have known that it was understood he
19 would be here today. How does it make you feel, sitting
20 in this courtroom right now, that Mr. Jones is not
21 sitting here facing you?22 A. I think it's a disrespect and I think it is
23 a cowardly act of Alex Jones not to be facing me here in
24 this courtroom. I've been here for a week and a half
25 and my final testimony Mr. Alex Jones does not have the

1 courage to sit in front of me or face me on this
2 morning.

3 Q. Explain to us how it is that you expect to
4 restore Jesse's honor with your testimony and through
5 this process.

6 A. It's very important for me to have this
7 trial and this testimony today. The reason, to hold
8 Alex Jones accountable and InfoWars for their actions.
9 Statements and the remarks and the comments made by both
10 InfoWars and Alex Jones repeatedly have tarnished
11 Jesse's legacy, questioning whether he died, whether he
12 is still alive.

13 I can't even put in words how difficult it
14 is to lose a child, regardless of that age, under such
15 brutal and horrific circumstances as Sandy Hook
16 Elementary School, the massacre. And I just -- it's
17 something that's safe, it should have never been touched
18 or brought into a conspiracy theory, a hoax. It just --
19 I can't even describe the last nine and a half years of
20 the living hell that I and others have had to endure
21 because of the negligence and the recklessness of Alex
22 Jones. And his propaganda that he has peddled for his
23 own profits and success.

24 Q. Mr. Heslin, tell us about when you first
25 remember hearing of this ugly, profane conspiracy theory

1 that Sandy Hook didn't happen; that Jesse wasn't
2 murdered.

3 A. Well, I -- I wish the fact that those
4 statements, I wish that it was true, I wish that Jesse
5 was alive. And that's -- that's not the case.

6 Q. Please speak up a little bit for us on this
7 so that we can hear you, please.

8 A. I'm sorry.

9 I said, I wish that was the case and the
10 fact that Jesse was alive, but that's not -- he's not
11 here with us. I became aware of the statements, the
12 remarks that it didn't happen, Sandy Hook, that Jesse
13 didn't die in 2013.

14 Q. And how did it make you feel, in 2013,
15 months, weeks, days, after Jesse's murder, hearing that
16 people were beginning to believe this thought that that,
17 in fact, did not happen?

18 A. It was very disturbing. I was suffering at
19 that time and mourning the loss of my son, and I -- I
20 just couldn't fathom or understand why people
21 would -- would or -- question such a horrific tragedy
22 and a loss. I still to this day can't fathom it.

23 It's taken me years to understand the
24 dynamics and the depth of this -- conspiracy theories
25 and the hoaxes that are out there and promoted by Alex

1 Jones and InfoWars. It goes a lot deeper than just
2 statements and the remarks and the broadcast, it
3 resonates out to followers. And what was said about me
4 and Sandy Hook itself, it resonates around the world.
5 It's not just in this courtroom, it's not just in
6 Austin, it's not just in Connecticut, in Sandy Hook, it
7 resonates around the world.

8 And as time went on I truly realized how
9 dangerous it was and the extremists that believe this,
10 that follow Alex Jones and InfoWars and other sources
11 that repeat this, the conspiracy and the hoax. My life
12 has been threatened, I fear for my life, I fear for my
13 safety and my family safety and their life.

14 Q. Mr. Heslin, did you hear what was being said
15 by Alex Jones and his associates as a denial that Jesse
16 ever existed? Did you hear it that way?

17 A. Can you explain that a little better.

18 Q. Sure.

19 A. Denial? Denial by who, the conspiracy?

20 Q. When Alex Jones said this never happened,
21 did you hear them saying Jesse never existed, if it
22 never happened that he never existed? I think you've
23 told me that that's the way you've heard it from time to
24 time.

25 A. Yes, it is.

1 Q. How did hearing other people tell you
2 essentially that Jesse never existed make you feel?

3 A. It's hurtful.

4 But when you -- I would like to step back
5 and finish answering the first part of that. When it's
6 stated that Jesse's was fake, that is an indication that
7 he didn't exist. And he didn't live.

8 He did live. I was blessed with him for
9 six and a half years. He's been gone one and a half
10 times that. And -- but I cherish those days. Those
11 years. With Jesse.

12 Q. Take your time, Mr. Heslin.

13 THE COURT: There are some tissues there,
14 Mr. Heslin.

15 THE WITNESS: Allergies are bad here, I
16 guess. Sorry. I'm all right.

17 BY MR. BALL:

18 Q. I know what you're doing today is incredibly
19 difficult.

20 A. It is.

21 Q. Mr. Heslin --

22 A. It reopens the wounds that have never really
23 healed, never really closed. And never will. I only
24 hope after this trial, the outcome of it, I will be able
25 to put this behind me.

1 Q. Mr. Heslin --

2 A. And put a -- put an end to what's been said
3 about Jesse, myself, and Sandy Hook, the tragedy.

4 Q. Tell us, if you would, about your son,
5 Jesse.

6 A. Jesse --

7 Q. Before you do that.

8 Malisa, if you would please put up 3 PX.

9 THE COURT: And I'm sorry, but can you
10 scoot a little closer to the microphone? Because you
11 are hard to hear.

12 BY MR. BALL:

13 Q. You'll notice that I put up a picture of
14 Jesse.

15 A. Yeah.

16 Q. How old was he when this picture was taken?

17 A. That picture was taken about two weeks or so
18 before Jesse was murdered. That was his class picture.
19 And we didn't get that class picture until a week or so
20 after -- after he was killed or maybe after the funeral.
21 That exact picture I carry with me every day right here
22 in my coat pocket.

23 Q. Tell us about Jesse, if you would, please.
24 About the child that Alex Jones said never existed.

25 A. Jesse was six and a half years old when he

1 was brutally murdered. He was an energetic young child,
2 happy, always wanted to help people. A heart as big as
3 gold. He was a force when he came into the room, he --
4 it was like a tornado came by. He had a very strong,
5 clear voice at a very young age. If he was standing
6 behind you, you would think it was a 40-year-old adult
7 speaking to you. He was an old soul, in my view or my
8 thoughts. Loved school, he loved horses, he loved dogs,
9 he loved animals.

10 Some of the things he enjoyed most in life
11 were soccer, fishing. We have a trout stream near our
12 home, he loved that. He was learning to ride a bike
13 just before he got killed the summer of 2012.

14 One of the more fond memory or most fond
15 memories were in school they were just learning to add,
16 you know, it was the basic two plus two is four, and
17 then they learn that if you put a 0 on that it would be,
18 you know, 20 would equal 40. So, he figured out the
19 more zeros you add the bigger the number you would end
20 up with and he was so proud of that, that he could add
21 such large numbers. And simple as it is, but you know,
22 it was a big -- he was just so proud of that.

23 I have dyslexia, I don't read very well.
24 He would always say, I'll teach you sight words, dad.

25 I'm sorry.

1 He loved to work.

2 I got to catch my breath for a minute.

3 He loved to earn money, collect bottles.

4 He would do whatever little odd jobs he could. He would
5 offer to do it for neighbors, friends, just to make
6 money. Loved to save his money.

7 Q. He collected coins?

8 A. Yeah, the coins he collected were the coins
9 he made and working or he -- coins that came from the
10 balance of the bottles that he collected and cans and
11 returned. And one of the biggest thrills and most
12 profitable things for Jesse was collecting scrap metal,
13 taking it to the scrap yard.

14 He was driving down the road, wish, oh,
15 got to get that scrap metal if it was out by the
16 curbside. We had a pile in our backyard, periodically
17 would go get loaded in one of the trucks and he would
18 take it to the scrap yard and he would make his money on
19 it. And afterwards he always want to stop at Mickey D's
20 for a treat, a snack he referred to it as. But he
21 was -- he was the best. My little buddy.

22 Q. I know this is hard, Mr. Heslin. And I'm
23 very sorry.

24 A. Thank you. Sorry.

25 Q. I want to switch gears just a little bit. I

1 don't want you to have to relive this day --

2 A. I'm sorry.

3 Q. -- too much.

4 A. I'm sorry.

5 THE COURT: You don't need to apologize.

6 BY MR. BALL:

7 Q. You do not, you do not need to apologize.

8 I'm sorry that we are here.

9 Tell me when you first remember hearing
10 about the man Alex Jones.

11 A. I heard the name Alex Jones and I heard the
12 word or the name InfoWars early on, after the beginning
13 of 2013. I don't recall if I actually connected both
14 Alex Jones and InfoWars together and the statements and
15 the comments that were being resonated by both Alex and
16 InfoWars. Took a little bit of time to compile and put
17 everything together. I tried to ignore it, I tried to
18 put it out of my mind, not feed into it.

19 As time went on, it escalated quite a bit
20 more. It was a lot more out being peddled on the
21 internet, and social media platforms was being brought
22 to my attention more often, more frequently. I would be
23 asked by rational and sane people why people would say
24 these things and why -- why would they, in their minds,
25 believe or state that this tragedy and this murder

1 didn't happen and that Jesse wasn't killed, why people
2 accused myself and the others of being crisis actors,
3 fake, phoney.

4 And I -- it took me a long time to really
5 understand the dynamics of it, and I couldn't -- I
6 couldn't explain that, I couldn't give the people an
7 answer short of just crazy people out there in this
8 world. And then I realized that -- that we have
9 psychopaths like Alex Jones. Their motive I learned --

10 Q. You didn't watch or listen to Alex Jones,
11 did you?

12 A. No, I never listened to Alex Jones. I never
13 followed him. I -- the only time I did watch him was
14 when things were brought to my attention and I was
15 forced to see what was being said about me, about Jesse,
16 about the tragedy.

17 Q. When these things are being said about you,
18 Sandy Hook didn't happen, that you never held your
19 child, that your child never existed, are you having
20 encounters with people in the public about these
21 horrific lies?

22 A. I do. I have. Right up to this day. And
23 this morning.

24 Q. Talk to us about some of the earliest
25 encounters.

1 A. There's so many of them and there's such a
2 variety of them. The encounters or interaction, many of
3 them are on the internet, many of them are anonymous
4 phone calls. Extremely large number are people come up
5 to you in the community or through travels. It's
6 just -- it became a way of life, an awful way of life to
7 have to live.

8 Q. Is it still that way of life today for you?

9 A. Pardon?

10 Q. Is it still that way of life today for you?

11 A. I didn't hear.

12 Q. Is it still that way of life today for you,
13 people encountering you in the public and pushing these
14 awful lies and conspiracies that Alex Jones has
15 broadcast?

16 A. Yes, it is. Sometimes it's more -- more
17 often than not, sometimes it's -- there's fewer, fewer
18 encounters or interactions. It just -- it varies.
19 There's no rhyme or reason how often or how frequent,
20 but an overall it's -- it's frequent, it's substantial.

21 Q. And when it happens, do these encounters
22 often specifically mention Alex Jones and InfoWars?

23 A. Often they do. There's a lot of times no
24 one is mentioned in particular.

25 Q. Every time this happens, and we're going to

1 go into a few of these, but every time this happens, did
2 it reopen that wound, that scar of Jesse's murder?

3 A. It does. It brings back memories, it brings
4 back flashbacks of that day, and it brings back the
5 memories of when Jesse was -- was alive. I'm blessed to
6 have those memories, pictures of him, but when you think
7 about those memories, when you look at pictures, it's
8 sad. It's easier to try to put it in the back of your
9 mind and not think about it and not look at the
10 pictures.

11 Q. We've in this trial heard about the
12 interview that you gave to Megyn Kelly.

13 A. Yes.

14 Q. You've seen some stuff with that, and you --
15 obviously you lived it; right?

16 A. Pardon?

17 Q. You lived it. You gave an interview to
18 Megyn Kelly at her request.

19 A. I did.

20 Q. Tell us why you did that, Mr. Heslin.

21 A. I did that interview for a couple of
22 reasons. Hopes of reaching Alex Jones and trying to get
23 him to stop what he was saying and doing. I never
24 attacked Alex Jones viciously or negatively; in fact,
25 I -- that interview was around Father's Day, I believe I

1 even wished him a Happy Father's Day and I remember
2 thinking or stating how lucky Alex was, he's a very
3 lucky man to have his children with him. And I hope he
4 has them for the rest of his life.

5 I wouldn't wish upon Alex or anybody the
6 loss that I sustained through a child, and he's very
7 blessed to have his children and God blessed him with
8 that. But I don't have that anymore.

9 Q. Before you gave this interview with
10 Miss Kelly, did you ask Alex Jones and his show to stop
11 with what they were doing to you?

12 A. Did I ever ask Alex Jones to stop what he
13 was doing?

14 Q. Do you know that -- do you know that he was
15 asked, let me ask another way, do you know that he was
16 asked before this interview to stop what he was doing?

17 A. I do know that. I heard that he was -- I
18 personally didn't ask him before that. I never had any
19 attempts of or way that I knew of to contact Alex Jones
20 or to reach him to personally tell him. The only way I
21 really had was through the media.

22 Q. And after that Megyn Kelly interview in
23 2000 -- in April of 2018, you first became aware of Owen
24 Shroyer, broadcaster and newscaster, an employee of Alex
25 Jones.

1 A. Correct.

2 Q. I'm going to play what's already been
3 played, a cut of it, Plaintiffs' Exhibit 23. And after
4 we play it I'm going to ask you a few questions. Okay,
5 sir?

6 A. Yes, sir.

7 MR. BALL: All right. Play that for us,
8 please, Malisa.

9 *(Video played off the record.)*

10 BY MR. BALL:

11 Q. Will there be a clarification from Heslin.
12 Sir, I would never take this moment away
13 from you. You have the floor.

14 A. Yes. I did hold my son with a bullet hole
15 in his head. Jumping ahead on that, many other people
16 saw Jesse with a bullet hole in his head. It was an
17 open casket. Jesse had, as it states on his death
18 certificate, he died of a gunshot wound to the head.

19 It was a wound on the, looking down at
20 him, it would be on his left, or his right, right side,
21 it would be on the right side. There was a mark where
22 he was grazed by a bullet, it was described to me as
23 bullet splatter later, but it was clearly he was grazed
24 by a bullet. Fatal shot was to his forehead and just
25 below the hairline. Just to the left side of his -- the

1 center of his forehead. The shot shattered his skull
2 when it entered.

3 It exited the rear left of his skull. The
4 exit wound was about the size of a softball.

5 Q. Asking for a clarification of that is
6 tantamount to saying it didn't happen. How did that
7 make you feel?

8 A. I'm not done.

9 Q. Thank you, Mr. Heslin. I'm sorry.

10 A. That wound had bone fragments of facial
11 material. That's etched in my mind forever. At the
12 funeral again we were advised not to touch Jesse's head,
13 it was very fragile. Basically it would have fallen
14 apart. He died two feet from his teacher.

15 There's more about that. The gunman's gun
16 jammed at that point, at one point. Jesse knew that.
17 At that moment Jesse yelled for his classmates to run.
18 They did. Nine of them are alive today because of his
19 actions. Eleven survived. Two were in the bathroom.
20 Jesse died a hero, it's been brought to my attention and
21 mentioned to me after by the parents, three of the
22 survivors, the runners, thanking me.

23 I went into school after. A lot was
24 cleaned up, but the only way to describe it was like a
25 combat zone. Block was shot out, toilets were shot out,

1 shattered. They were removed. Windows were shattered,
2 point of entry, the glass still remained on the ground.
3 You walk up to the school, the front door is there, to
4 the right of the front door was a big plate glass. The
5 gun of Adam Lanza shot the glass out. Went into the
6 building. Went on his rampage.

7 I spent a lot of time in the classroom
8 myself alone. I knew the exact spot Jesse's body was.
9 And I went in. The school was later torn down and
10 relocated on the same site. The site where the murders
11 occurred in the school, in the building, the classrooms,
12 that's referred to as the sacred ground. It's described
13 as a silent memorial. It's just a mound with some trees
14 around it. Some paver bricks. I just refer to it as
15 the murder site.

16 I visited that almost every December 14th
17 at the time the murder occurred.

18 Q. Mr. Heslin, may I ask you a question?

19 A. Yes, sir.

20 Q. Thank you.

21 Every time that you hear this lie that
22 Alex Jones has pushed, does it make you relive
23 everything you just told us?

24 A. Yes, it does. I relive parts of it.

25 Q. How traumatizing is that to you, sir?

1 A. There's no words for it. It's just
2 undescrivable. I get anxiety. I just -- my stress
3 level goes way up. I get chest pains sometimes. The
4 whole thing has affected my health greatly, more so in
5 the recent years. I wake up with anxiety attacks, panic
6 attacks.

7 THE COURT: Mr. Heslin, I'm so sorry, I
8 just can barely hear you.

9 THE COURT: I'm sorry.

10 THE WITNESS: Will you please speak up and
11 go closer to the microphone.

12 THE WITNESS: I'm sorry, Your Honor.

13 THE COURT: It's just I need to be able to
14 hear you and I need the jury to be able to hear you,
15 okay?

16 THE WITNESS: I understand that, and I
17 apologize once again.

18 THE COURT: Don't apologize, just talk
19 loud.

20 THE WITNESS: I apologize for apologizing.

21 I wake up at night with panic attacks
22 sometimes. I have chest pains. I ended up in the
23 hospital several weeks ago, chest pains. I didn't
24 think I was having a heart attack but I didn't. I
25 wasn't. It was stress and anxiety that brought it on.

1 Not a healthy thing. And I hope with the outcome of
2 this trial that will subside a lot. My hopes and goal
3 is to hold Alex Jones accountable and to be able to walk
4 out of this courthouse very soon with this all behind me
5 and move on with my life.

6 BY MR. BALL:

7 Q. Mr. Heslin, is holding Alex Jones
8 accountable for what he's done necessary in your mind to
9 move on with your life?

10 A. It is. This trial is the only way I can
11 restore my credibility, reputation. It's been destroyed
12 and damaged by his constant attacks and peddling a
13 conspiracy and a hoax. At one point I was accused of
14 being a liar. I haven't lied about nothing. I'm here
15 in this courtroom telling the truth today.

16 Something I remember in the opening
17 statements, defense attorney said "Lie to a jury, lose
18 the jury." And I -- I would never come and lie. I have
19 never lied about any of this. But I truly believe it's
20 true, what the defense counsel said. Very true words,
21 very good words.

22 Q. Mr. Heslin, I understand that your house has
23 been shot up, shot at, while people yell Alex Jones'
24 name and InfoWars. Is that correct?

25 A. That's correct.

1 Q. Tell us about that, if you would, please.

2 A. A few years back my home was shot up.

3 Vehicles were shot up in my yard. That's disturbing.

4 Facts, facts are this case, this trial, was supposed to

5 happen a month ago, two -- April I guess it was, and it

6 was postponed due to the bankruptcy filings. And the

7 proximity at that time when this case was put on stay,

8 somebody drove by my home shouting out the window "Alex

9 Jones" and it sounded like gunfire coming from the

10 vehicle. It's no way to have to live.

11 Q. You're aware of other threats to the other

12 families of the Sandy Hook school shooting?

13 A. I am.

14 Q. And how does that affect how you deal with

15 what is being said and the lies that Alex Jones is

16 pushing?

17 A. I have my own threats and safety to deal

18 with.

19 MR. REYNAL: I have an objection, your

20 honor.

21 THE COURT: So you have to make it, I'm

22 not making it for you.

23 MR. REYNAL: I object to --

24 THE COURT: Legal objection.

25 MR. REYNAL: Relevance to other families.

1 THE COURT: Overruled.

2 MR. BALL: Thank you, Your Honor.

3 BY MR. BALL:

4 Q. You may continue, Mr. Heslin.

5 A. I have my own safety to worry about and my
6 own threats. I am aware of the other many -- many other
7 threats and situations that have happened, some of them
8 overlap to all the families, not just targeting one in
9 particular. It's disturbing. I feel bad for the other
10 families that they have to endure that, too. I mean, I
11 endure it, I have to deal with it, but I don't wish it
12 on anybody.

13 Q. How do you recover from losing a child?

14 A. It took a long time to. You never recover
15 from the loss of a child. I accepted what happened
16 right after it happened. I didn't like it, I couldn't
17 change what happened, but I knew I had to accept it to
18 be able to move forward. I was able to move forward but
19 I never -- you can't get over the loss of a child.

20 Many of us have lost our parents, I've
21 lost mine; many have lost siblings. The loss of a child
22 is no comparison to that. When you lose a child you're
23 losing part of yourself, and it's just -- it's a feeling
24 you can't describe. It's an emptiness. You feel
25 violated by the loss of the child. You feel like you've

1 been violated, robbed, and those feelings don't go away.
2 They haven't changed in nine and a half years.

3 Q. Mr. Heslin, how do you recover from someone
4 lying about the loss or the murder of your child?

5 A. Hold them accountable for their actions,
6 being able to have the opportunity to stand up, clarify
7 the truth. I don't have any more of an answer. I hope
8 that I could provide an answer, and I hope I have
9 closure to it after this trial.

10 Q. There have been some questions about an
11 apology versus a payment for damages. If you could,
12 explain the difference between those two in your mind.

13 A. Alex Jones' policies -- or apologies are
14 worthless. At this stage, any apology would not be
15 sincere and it's come too late. His apologies in the
16 past, there was one we saw earlier in this trial, it
17 wasn't a genuine apology. And he continuously went on
18 recklessly as a carnival barker would, you know,
19 peddling his propaganda and his lies. I don't know if
20 Alex is even capable of a sincere apology.

21 What was the other part of the question?

22 Q. The apology that you told us about now, now
23 I would like for you to compare that in your words to
24 what you're requesting in this case, damages and money
25 and why.

1 A. Monetary side of it, I believe that's the
2 only way to really put a stop to it and
3 prevent -- prevent this from happening anymore. And
4 it's clear an apology hasn't worked for Alex Jones. He
5 hasn't been sincere and when you give an apology you
6 don't turn around and say, I'm sorry, and recklessly do
7 what you did before. You apologize. That's not an
8 apology. It's just useless words.

9 There's got to be a strong deterrent for
10 Alex Jones to prevent him from peddling these -- this
11 propaganda and to put a stop to what's being said to me
12 and about the tragedy and about Jesse, and with that I'm
13 able to restore my credibility and my reputation and
14 Jesse's legacy and honor, as he so much deserves.

15 He would have been 16 years old now. All
16 I remember him as is as a six-year old,
17 six-and-a-half-year-old boy. He'll always be six and a
18 half. He would have been driving now probably instead
19 of riding a bike. He would be in high school. And I
20 wouldn't be here today if he was here.

21 Q. As a beginning to restoring Jesse's honor,
22 I'm going to ask my last question. Share for us, if you
23 would, one of your favorite memories of Jesse.

24 A. Well, I could share two, two memories with
25 you.

1 Q. You sure can.

2 A. Best memory was the day he was born. I
3 first held him and saw him. He was a big baby, weighed
4 11 pounds when he was born. And that was the best
5 memory, probably the happiest memory.

6 The worse memory is the day I laid him to
7 rest. I closed the casket that day, went to the church,
8 went to the cemetery. I stayed in the cemetery until
9 9:00 o'clock at night, until the grave was covered over.
10 That was the worse memory.

11 MR. BALL: Thank you, Mr. Heslin. I
12 appreciate your courage, your time today. I don't have
13 any other questions.

14 THE COURT: All right. Can you keep going
15 right now, Mr. Heslin?

16 THE WITNESS: I'm good.

17 THE COURT: Okay. Mr. Reynal.

18 CROSS-EXAMINATION

19 BY MR. REYNAL:

20 Q. Good morning, Mr. Heslin.

21 A. Good morning.

22 Q. As a father of a six-year-old myself, I am
23 very, very sorry for your loss.

24 A. Thank you. God bless you and your son, too.
25 Or daughter.

1 Q. God bless you, too, sir.

2 I have just a couple of questions, and I
3 don't want to keep you on the stand very long.

4 There were a couple of things I just
5 wanted to clarify. When -- or I'll ask it this way, was
6 the first time you actually watched Alex Jones on a
7 screen speaking when it was brought to your attention by
8 Lenny Pozner in 2018, the Owen Shroyer report?

9 A. Yes, that's correct.

10 Q. I understand how painful this whole
11 experience must be for you, and I respect your choice,
12 whichever way it went. Have you chosen to watch the
13 rest of the broadcasts that we have in evidence or have
14 you chosen not to watch anymore broadcasts?

15 A. Could you clarify that, the broadcasts, are
16 you referring -- when you say broadcasts, are you
17 referring to one broadcast or several broadcasts, or --

18 Q. So, we have in evidence broadcasts from
19 InfoWars from 2012 and 2013, 2014, 2015, and 2016, and
20 then we have the Owen Shroyer InfoWars broadcast --

21 A. Yes.

22 Q. -- in 2017.

23 A. Yes.

24 Q. And my question to you is, I know you
25 watched the Owen Shroyer broadcast.

1 A. Correct.

2 Q. Have you chosen, as part of this, what's
3 going on here, to watch the others, or have you chosen
4 not to -- not to engage with them?

5 A. Okay. Thank you for clarifying that, sir.

6 I have watched, I don't know if it's all
7 of them, I've watched a large number, numerous ones.
8 After it was brought to my attention by Lenny, Lenny
9 Pozner, that's Noah Pozner's father, Noah was killed,
10 too, in the school shooting.

11 I -- I did look a little deeper into the
12 broadcast, clips and that. But I -- I never watched
13 Alex Jones' show. I became more aware of who Alex was
14 and he had a show or platforms or social media, but.

15 Q. You told us that during the period before --

16 A. I'm sorry?

17 Q. I would like to refer you to the period
18 before the Megyn Kelly interview.

19 A. Yes. The period, okay, yeah.

20 Q. During that period, before you went on Megyn
21 Kelly, you were generally aware of conspiracy theorists
22 and rumors online. Is that correct?

23 A. Yes and no. I -- I was aware of the
24 statements, the comments, the remarks. It took a little
25 bit of time to really put it together that what the

1 conspiracy -- a conspiracy and a hoax was.

2 There was just so much of it and it was
3 all intertwined and, as I stated before, it took me a
4 long time to understand the dynamics and the depth of
5 the conspiracy and the hoax theory, hoaxsters, which I
6 didn't even think was a word until the tragedy. I think
7 Lenny, Lenny was the one that started that, hoaxsters.

8 But I was aware of things on the internet,
9 pictures, like the Superbowl picture that we all saw,
10 that was -- my recollection that was 2013, clearly Jesse
11 was gone in 2012. I did see that picture and it was
12 floating around the internet. I'm not on the internet a
13 lot, I'm not a, you know, with email, social media or
14 anything. I -- over the last few years I've been --
15 became a little more up on it. Even phones, I still
16 prefer an old-fashioned phone. But, yeah, that's -- I
17 hope that answered your question.

18 Q. It does.

19 A. Or clarified it.

20 Q. It does.

21 And so what I took from your answer is
22 that you were, although you've never seen Alex Jones'
23 show, you were generally aware that there were a lot of
24 people online that were engaging in conspiracy theories
25 about the tragedy at Sandy Hook. Is that correct?

1 A. I didn't know who they were or how many or
2 anything. I, you know, I, like I said, I just didn't
3 know the depth of it. You go on the computer or
4 somebody sends -- sends you an article or tells you to
5 look a link up or something and you look it up and
6 that's about as far as it went.

7 I never really -- didn't compile
8 everything together until it got -- it just -- it just
9 grew on me, and I learned the connection between them
10 all and how one feeds the other. And, you know, with
11 Alex, he had a platform and he had a very strong voice
12 and he had a lot of followers and statements and remarks
13 that, comments, resonate to a lot of people.

14 You have other people that fuel that fire
15 with comments and lies and propaganda that -- being
16 repeated by InfoWars or has been repeated by InfoWars
17 and Alex Jones. And the way to describe it is, you
18 know, Alex was the one with the match that started the
19 fire and he's there with the tank, other people are
20 bringing pieces of wood and fueling the fire. That's
21 because Alex has such a large platform. Through the
22 internet.

23 Q. What you just told us, is it fair to say
24 that those are beliefs that you've developed as a result
25 of your discussions with Lenny Pozner and with your

1 lawyers and with the expert witnesses?

2 A. You mean, the statement I just made about
3 the fuel tanks?

4 MR. BALL: Objection. Form.

5 THE COURT: Hang on, there's an objection.

6 MR. BALL: First off, I think that
7 directly calls for attorney-client communication.

8 THE COURT: Sustained.

9 MR. BALL: Secondly, I think it
10 mischaracterizes the record that we've heard this
11 morning.

12 THE COURT: Sustained.

13 THE WITNESS: So, does that mean that I
14 can answer it?

15 THE COURT: No, sir, he has to ask you a
16 different question that doesn't violate the rules.

17 THE WITNESS: Okay. Thank you.

18 BY MR. REYNAL:

19 Q. The answer that you gave us previously about
20 the -- what you refer to as the intertwined nature --

21 A. Yes.

22 Q. -- of Alex Jones and the people who believe
23 in conspiracy theories, you came to that conclusion at
24 some point after the Megyn Kelly interview as a result
25 of your conversations with Leonard Pozner and others.

1 A. That's not true. Maybe I could describe it
2 a little better but, you know, it was a menagerie of the
3 comments, the statements, and it was like a can of nuts
4 and bolts, dump it out and they're all just there until
5 you sort it out.

6 And as I said, I didn't follow it, I
7 didn't investigate it, I -- but then, when it had gotten
8 more common and there was more of it going on, I had a,
9 you know, I looked into it a little more and I sorted it
10 out and that's how I put the connection together.

11 And, no, it didn't come from Lenny Pozner
12 or my attorneys, that was from my personal experience
13 and my personal -- putting it into perspective for
14 myself.

15 Q. And this --

16 A. The rest of it --

17 Q. I'm sorry, sir, had you finished?

18 A. Or the analyzation of it, analyzing it.

19 Q. And this belief that you formed, you formed
20 it in or about 2017?

21 A. I don't -- some before, some, you know, it's
22 kind of developed more, I put it more into perspective.
23 I don't really know when I started to kind of realize
24 there was conspiracy going on or a hoax theory going on.
25 But it -- it took right up to -- right up to today to

1 really put things into perspective, the depth of it.
2 And I'm sure I'll learn more in the future.

3 Q. Would you accept the possibility that the
4 hoax theory that no one died at Sandy Hook did not
5 originate with Alex Jones?

6 A. I accept that?

7 Q. As a possibility.

8 A. I'm not accepting -- or not accepting
9 anything. I heard what was said, it was repeated by
10 Alex and rebroadcast on InfoWars. Whether it originated
11 there or not, I personally have no knowledge of where it
12 actually originated. But it was broadcast and
13 re-publicized on, you know, through Alex and InfoWars.
14 So, that fueled the fire and resonated around the world
15 and through his followers.

16 Q. You've stated before that you have a
17 vendetta against Alex Jones.

18 A. Oh, I don't think I ever said that. I -- I
19 don't think I ever said a vendetta with Alex Jones. I
20 stated I -- Alex started this fight and I'll finish this
21 fight. But once -- no, I don't have a vendetta with
22 him. Once we're done here, I -- no, I don't have an
23 ongoing vendetta with him. Just solely about what was
24 said and done to me and accountability and being
25 responsible and move forward from there.

1 Q. Would it refresh your recollection to take a
2 look at your deposition that you gave in January of this
3 year?

4 Yes?

5 A. Yeah, I'll look at it.

6 Q. I've highlighted --

7 A. Okay. Let me look at it here.

8 Yes, it says my vendetta is with Alex
9 Jones and what was said and done to me. And that's
10 what's got to be set straight. My battle is with nobody
11 but Alex and Shroyer and InfoWars. And that's correct.

12 Q. When you use the term "vendetta" --

13 A. Correct.

14 Q. -- a vendetta is a blood feud; right?

15 A. I don't really know if I classify it as
16 that, but my -- my -- I don't have a blood feud with
17 Alex Jones. My, as I stated before, my battle is with
18 what was said and done to me. Once we're done here in
19 court, as far as I'm concerned my business with Alex is
20 done. Provided, you know, he never mentions me again,
21 moves on, and no more conspiracy or hoax theories about
22 Jesse. But no, I have no no blood battle with Alex
23 Jones.

24 Q. Would you agree with me, Mr. Heslin, that
25 prior to Owen Shroyer using your name, neither Alex

1 Jones nor any InfoWars employee had ever said your name
2 or Scarlett Lewis's name?

3 MR. BALL: Objection, your honor.

4 Misleading question because we did not have all of the
5 records that we firmly established over and over again.

6 THE COURT: So, misleading and calls for
7 speculation.

8 MR. BALL: Absolutely, Your Honor.

9 THE COURT: Sustain.

10 MR. REYNAL:

11 Q. To your knowledge, before the Owen Shroyer
12 report, had any InfoWars employee or Alex Jones ever
13 mentioned your name or Scarlett Lewis' name?

14 A. I don't have that answer.

15 Q. Generally I feel, now I don't know if you
16 feel --

17 A. I'm sorry, what?

18 Q. I feel like death is a very private event.
19 Would you agree with that?

20 A. Private and sacred, yes.

21 Q. And that's every death, but especially the
22 death of a child.

23 A. I agree with you, yes. I agree with you,
24 yes.

25 Q. And it's sort of --

1 A. Or -- or it should be. With Jesse's death
2 that wasn't possible because it was such a publicized
3 tragedy and event at a very emotional time, it was
4 Christmas and that --

5 Q. And there was --

6 A. That wasn't -- that wasn't a possibility,
7 unfortunately. But I do agree with what you said. I
8 wish that was the case.

9 Q. And there was, I mean, as you just
10 mentioned, there was media from everywhere in Newtown
11 pretty much immediately, wasn't there.

12 A. I didn't take that sight in or that scenery,
13 but I do know there was lot of reports on the tragedy,
14 as with any major mass tragedy.

15 Q. Would you prefer it if no media were
16 involved ever when there's a mass tragedy, like what
17 Adam Lanza did at Sandy Hook?

18 A. Well, it's really an in-depth question. I
19 think definitely it's newsworthy, the tragedy. I think
20 it's something that should be covered by reputable
21 media. I think there should be as much respect and
22 privacy as possible given to the victims that are
23 directly affected, but that's almost an impossible task
24 because the names become part of the news.

25 I mean, I wish I had Jesse with me but,

1 you know, if the loss -- I don't want anybody to take it
2 the wrong way, but, you know, if I had to choose the way
3 he died, and I'm not saying that like, you know, a way
4 of -- I wish it had never happened, but it wouldn't have
5 been -- it would have been -- it wouldn't have been a
6 mass tragedy, I wish it could have been a private -- I
7 wish something nobody knew about it.

8 But that's not to say I'm, you know, I
9 want to be real clear with the jury and everybody else,
10 that goes for the media, too, I, you know, I'm not
11 saying I wish he, you know, I wish he was here. But I'm
12 saying, if there was a choice or a different -- I wish
13 he had perished in a different way, if he had to. In a
14 private way.

15 Q. Sir?

16 A. Yes, sir.

17 Q. Do you find it disrespectful when
18 politicians and media, pundits, descend upon a mass
19 tragedy and immediately use it to further political
20 goals?

21 MR. BALL: Objection. Relevance,
22 speculation, and disgusting.

23 THE COURT: It is not relevant, so that is
24 sustained. And I will not respond to the rest.

25 THE WITNESS: Don't answer that?

1 THE COURT: No, sir.

2 THE WITNESS: Thank you.

3 MR. REYNAL:

4 Q. Do you recall going back on the Megyn Kelly
5 show after this lawsuit was filed?

6 A. I do.

7 Q. And do you recall her asking you, what do
8 you want out of it, Neil?

9 A. I vaguely remember the question, and I don't
10 clearly remember my response to it.

11 Q. Would you agree with me that your response
12 mentioned nothing about money?

13 A. I don't recall.

14 Q. How often do you go to therapy?

15 A. About once a month now. It was more
16 frequent in the past. I think I'm on a pretty good path
17 of existence. But I -- I need the therapy still.

18 Q. I'm sorry, sir?

19 A. I need the therapy still, you know, just to
20 stay mentally in tune. Just good to be able to talk
21 about it.

22 Q. Have you ever wanted to go to therapy more
23 often?

24 A. No. I wish I didn't have to go at all. But
25 I know it's, at this time, something that I need to do

1 and something I should do. But I feel it's important
2 for me, anyway, everybody is different, you got to have
3 a balance with that, where I'm at now, about once a
4 month, it's a pretty good balance. You know, maybe
5 biweekly after this when I get back home, you know,
6 probably.

7 Q. How much does therapy cost you?

8 A. It's around \$125 a session.

9 Q. With Dr. Crouch?

10 A. Correct.

11 Q. After the Sandy Hook school shooting, did
12 you become an advocate for gun control?

13 A. It wasn't my intention, it was probably
14 viewed that way. I spoke and told Jesse's story with
15 hopes it would prevent any future tragedies like that or
16 school shootings. But I, you know, in the initial part
17 after I told Jesse's story, it was something that I
18 think every, you know, everybody needed to hear.

19 On another note, I fully support, you
20 know, better school security and a lot of improvements
21 across the board with everything. Everything can be
22 improved upon.

23 Q. You testified before Congress; is that
24 correct?

25 A. I did, sir.

1 Q. In December of 2012, six days after the
2 murder, you went on CNN and spoke to Piers Morgan; true?

3 A. In that time approximately, I don't recall
4 the exact date, but yes, I did.

5 Q. A month later you testified before the
6 Connecticut state government; correct?

7 A. I did.

8 Q. A couple of days later you went on, this is
9 end of January 2013, you went on CNN again?

10 A. Refresh my memory on who that was with or --

11 Q. It would have been with Senator Chris Murphy
12 again with Piers Morgan, discussing the second
13 amendment.

14 A. I don't recall that, but I do recall going
15 on -- I was on CNN after, you know, the initial Piers
16 Morgan, but I honestly don't recall the date or that
17 particular one with Chris Murphy or --

18 Q. Do you recall -- I'm sorry, sir.

19 A. Or discussing -- a discussion with CNN about
20 the second amendment.

21 Q. Do you recall in February going on CBS after
22 you testified in front of the Senate Judiciary
23 Committee?

24 A. I don't really -- I don't recall, no.

25 Q. A month later do you recall coming out in

1 the *New York Daily News* at a press conference regarding
2 politicians?

3 A. I don't recall it.

4 Q. That same month, in March of 2013, do you
5 recall appearing on CNN "The Lead" and being interviewed
6 by Jake Tapper?

7 A. I remember an interview with Jake Tapper;
8 correct.

9 Q. You're familiar with an organization called
10 Demand Action that advocates for gun control?

11 MR. BALL: Objection. Relevance.

12 THE COURT: Sustained.

13 MR. REYNAL:

14 Q. You testified earlier, I believe, on direct
15 that after this trial was delayed in April of this year
16 somebody shot at your house while yelling the name Alex
17 Jones and InfoWars. Do you recall that testimony?

18 A. That's incorrect, sir.

19 Q. Okay.

20 A. You're changing the words with that. That's
21 not truthful.

22 Q. Well, you tell me about it.

23 A. What I said was I don't know the exact --
24 you probably know when the trial was, it was in April;
25 correct? When it was supposed to go forward before?

1 But at that point, yes, somebody drove by yelling "Alex
2 Jones" and what sounded like gunfire coming from the
3 car. Where they were shooting, no, I didn't state it
4 was shot at my house, no, to be clear.

5 Q. So, your testimony is that after the trial
6 was continued in April you heard somebody yelling "Alex
7 Jones" and heard what you thought to be gunfire?

8 A. Correct, that's what I stated. I didn't
9 state it was shot at my house at that time. That's not
10 truthful.

11 Q. Would you agree with me that at the time of
12 your deposition in January 3rd, months before April, you
13 had already stated that you had been shot at over this?

14 A. That's a correct statement.

15 Q. How many times do you claim that you've been
16 shot at?

17 A. It was one incident that I'm aware of when
18 my home was shot up and a vehicle. I'm not aware of any
19 others, short of what I stated about in April. And I
20 wasn't shot at in April, I just want to make that clear,
21 and I stated what sounded to be gun -- sounded like
22 gunfire.

23 Q. Would you agree with me that's a crime?

24 A. What?

25 Q. Would you agree that that's a crime?

1 A. I totally do agree with you.

2 Q. And certainly if somebody shot at your house
3 and shot at your car, that would be a crime, as well?

4 A. It would be, sir.

5 Q. A crime that would result in a police
6 investigation. True?

7 A. I reached out to the police. It was also
8 looked into by the State Police.

9 Q. Do you know Detective Jewiss?

10 A. Pardon?

11 Q. Detective Jewiss?

12 A. I do know him.

13 Q. He testified here the first day; do you
14 recall that?

15 A. That's correct. I remember that.

16 Q. Do you recall his testimony that he hadn't
17 produced or knew of any police reports reflecting
18 harassment by anyone other than Wolfgang Halbig?

19 A. I remember that. But I will add to that
20 that he was aware of that incident at my home. He did
21 come and look at the bullet holes.

22 MR. REYNAL: No further questions.

23 THE COURT: All right. Mr. Ball, do you
24 have more? It's 10:00.

25 MR. BALL: Very briefly.

1 THE COURT: Okay. So, like total ten
2 minutes?

3 MR. BALL: Oh, yes.

4 THE COURT: All right, then we'll just
5 hold off and do one big break all at once.

6 Go ahead.

7 REDIRECT EXAMINATION

8 BY MR. BALL:

9 Q. Detective Dan Jewiss, do you recall his
10 testimony, sir?

11 A. I do.

12 Q. Do you remember when Detective Dan Jewiss
13 told you that he retired a year ago?

14 A. I do.

15 Q. So, Detective Dan Jewiss wouldn't have been
16 someone who would have been involved with those reports
17 that you were just asked about as though it didn't
18 happen. Right?

19 A. That's correct.

20 Q. When you tell Jesse's story, is that a way
21 for you to keep him alive?

22 A. All I have is Jesse's story to keep him
23 alive, to keep his memories alive.

24 Something I did to keep his memory alive
25 was I started a scholarship fund, gets awarded every

1 year. I get nothing out of it, it's an endowment now,
2 it's awarded every year to a student that meets certain
3 criteria that I'm very proud of that's his legacy that
4 will live on. And I hope to be able some day to get
5 more scholarships.

6 MR. BALL: Thank you, Mr. Heslin.

7 I don't have any other questions.

8 THE WITNESS: Thank you.

9 THE COURT: Mr. Reynal.

10 MR. REYNAL: Very briefly.

11 RECROSS-EXAMINATION

12 BY MR. REYNAL:

13 Q. You talk about -- you've told us about
14 telling Jesse's story.

15 A. Yes.

16 Q. Would you agree with me that, as a result of
17 this, you feel compelled to watch every time there is a
18 school shooting?

19 A. What?

20 MR. BALL: Objection, your honor. Outside
21 the scope and relevance.

22 THE COURT: Sustained.

23 All right. At this time we're going to
24 take our first break. This is going to be a little bit
25 longer break for the jury, not as long for the people

1 the lawyers and I. This is your opportunity to write
2 down questions individually. You're not requested to do
3 so, this is just an opportunity.

4 Remember all of my prior instructions,
5 they are still in place: No research, no conversation
6 about anything that's happened in this courtroom.

7 For the jury it will be about a 30-minute
8 break, but get the questions in if you have any at the
9 beginning, please.

10 You may be excused.

11 *(Brief recess.)*

12 *(Discussion between court and counsel off the*
13 *record.)*

14 THE COURT: Then on the record, we've gone
15 over the questions from the jury, I've excluded some.

16 For the reminder, are there any
17 objections, Mr. Ball?

18 MR. BALL: No objections except, I guess,
19 you haven't read it into the record, the one that you
20 read, the one that's not in the record dealt with the
21 answer that could potentially get into --

22 THE COURT: Let me ask you the question
23 again.

24 MR. BALL: I'm sorry.

25 THE COURT: Other than the questions I've

1 already excluded, are there any objections to the
2 questions I'm preparing to ask Mr. Heslin.

3 MR. BALL: I'm sorry, I didn't listen.
4 No, Your Honor.

5 THE COURT: Mr. Reynal.

6 MR. REYNAL: No.

7 THE COURT: All right, great. Then we are
8 ready for Mr. Heslin, if you'll call him back in. And
9 we are ready for the jury.

10 *(The following proceedings were held in*
11 *open court in the presence of the jury.)*

12 THE COURT: Mr. Heslin, I'm going to ask
13 you some questions and I'll just ask you to listen
14 carefully to them and answer them to the best of your
15 ability for the jury. Okay.

16 THE WITNESS: Yes, Your Honor.

17 THE COURT: All right. Make sure you
18 speak up, you're very soft spoken.

19 EXAMINATION

20 THE COURT: Is the amount being asked for
21 compensation and punitive damages by your family and
22 lawyers meant to prevent Alex Jones from being in
23 business after this case, or do you hope he can still
24 operate as long as he takes it as a learning lesson?

25 THE WITNESS: I hope he can still operate

1 and be successful, but take it as a learning experience.

2 THE COURT: When did you first meet and
3 start interacting with Detective Jewiss?

4 THE WITNESS: Detective Jewiss I met
5 through the tragedy and the investigation at Sandy Hook.
6 He was the lead detective, he testified to. The actual
7 date I met him, I don't recall that. It was sometime
8 shortly after the tragedy.

9 THE COURT: When did you first start
10 therapy with Dr. Crouch?

11 THE WITNESS: That was in 2013, best of my
12 memory it was in the summertime.

13 THE COURT: Did you ever try to contact
14 Mr. Jones directly?

15 THE WITNESS: No, I never did try to
16 contact Alex Jones directly. I never had a means of
17 getting ahold of him or a way of it, and no, I did not.

18 THE COURT: How has Jesse's passing
19 affected J.T. and your parenting with him? How old was
20 J.T. when Jesse passed?

21 THE WITNESS: J.T. would have been, I
22 believe, 12.

23 I can't -- I can't answer on how it
24 affected anybody else outside of myself. But I will
25 say, J.T.'s done an incredible job and grew into an

1 incredible young man. But I can't answer that, you
2 know, it affects everybody in a different way, and to
3 lose a sibling is definitely different than losing a
4 son, or a child.

5 THE COURT: Is it fair to say that gun
6 control and take away guns are two completely separate
7 arguments and they are not equivalent of each other?

8 THE WITNESS: Could you repeat that?

9 THE COURT: Is it fair to say that gun
10 control and take away guns are two completely separate
11 arguments and they are not equivalent of each other?

12 THE WITNESS: That's a very good question.
13 I believe that's a true statement. There's a difference
14 between gun control and -- there's a difference between
15 taking away guns and people's second amendment.

16 As with anything, I think we could always
17 improve on our laws and our regulations, even being the
18 second amendment or the First Amendment, in fact.
19 There's steps we can do to preserve those constitutional
20 rights as it should be along with making our lives safer
21 and better.

22 THE COURT: The defense attempted to put
23 the words "blood feud" in your mouth. Do you think this
24 is reckless, given your history with their clients?

25 THE WITNESS: I think it was a poor choice

1 of words in my deposition. I should have had a better
2 choice of words. I apologize for that.

3 And to anybody that that has affected or
4 they took it in a negatively or wrong way, it was poor
5 choice of words as I, to be clear and stated before, my
6 only business is just to settle the business with Alex
7 Jones through the legal proceedings in the courtroom. I
8 wish Alex Jones no physical harm or any more than that,
9 just accountability and responsibility through the legal
10 system.

11 THE COURT: How were you not aware of Alex
12 Jones after your Megyn Kelly interview which Alex claims
13 was a hit piece on him? Did you not watch the segment?

14 THE WITNESS: I did not watch the segment.
15 The segment that they broadcast about me, Shroyer?

16 THE COURT: Yes. The Megyn Kelly piece,
17 the whole Megyn Kelly. Let me just read you the
18 question.

19 THE WITNESS: Read it again.

20 THE COURT: How were you not aware of Alex
21 Jones -- excuse me, how were you not aware fully of Alex
22 Jones after your Megyn Kelly interview which Alex claims
23 was a hit piece on him? Did you not watch the segment?

24 THE WITNESS: No, I didn't. I didn't
25 watch the segment until a latter date, approximately the

1 beginning of April it came to my attention. I had no
2 knowledge of that interview or InfoWars' statement or
3 broadcast.

4 THE COURT: You mentioned that harassment
5 by Alex Jones' fans or hoaxsters were frequent and
6 substantial. Can you further define these terms? How
7 often are you approached by a hoaxster either online, in
8 person, or over the phone?

9 THE WITNESS: Um, I'll do my best to do
10 that. You know, it's been over 10-year period, 10-year
11 campaign of a conspiracy and a hoax. The hoax, it's
12 more -- sometimes it's more frequent and more often and
13 a larger volume than other times. I've had a month, two
14 months where I've had no interaction, negative comments,
15 no confrontations. I've had other weeks where there's
16 been dozens of comments, anonymous calls or personal
17 interaction. There's just no way to really give an
18 accurate -- more accurate description than that.

19 THE COURT: Have you saved any copies of
20 written threats shared with you online or via email?

21 THE WITNESS: As I said, I'm not a big
22 email person or computer person. I don't even like cell
23 phones. I -- they're kicking around, some of them, a
24 few of them, but you know, I never -- I probably should
25 have categorized them but I haven't. Something that

1 I -- I don't really care to remember. And I -- the
2 easiest thing to do when you get a call or you get a
3 message or an email is kind of just push it away, ignore
4 it.

5 THE COURT: Can you further describe how
6 your reputation has been affected? Do you have an
7 example of ways your reputation has been impacted?

8 THE WITNESS: Well, as I said, my
9 reputation and my credibility is damaged by these
10 broadcasts. People question what I lied about.

11 And it's hard to even go to do a job for
12 somebody or work or give a price, and so many people,
13 especially in Connecticut in the area where I live, they
14 know who I am, they recognize me, who I am, by the
15 name or by the, you know, my person, and it just always
16 seems to come up. I've done jobs and I can be working
17 on the job and then -- or they look you up or what, I
18 don't know, but the topic comes up of, what did I lie
19 about, why did -- what was fake about the tragedy or
20 what didn't happen?

21 As I stated before, it just -- people
22 can't fathom it. I guess unless you're not a rational
23 person or a sane person maybe you could, but sane and
24 rational people can't wrap their mind around it and
25 understand it.

1 THE COURT: How will the outcome of this
2 trial allow you to restore Jesse's legacy?

3 THE WITNESS: Well, outcome of this trial,
4 it will set it straight that Alex Jones was wrong with
5 what he said and did. And my hopes is, with that, I'll
6 be able to clear Jesse's legacy and his honor, and
7 moving into the future we won't have to deal with the
8 conspiracy or a hoax theory about Jesse or myself.
9 Mainly Jesse. He's the one that deserves it. And
10 that's my hopes.

11 THE COURT: Is there a specific amount you
12 feel would bring you closure with Alex Jones?

13 THE WITNESS: That's a very good question.
14 It's not really about the closure. The monetary amount
15 is about making a strong statement and preventing Alex
16 Jones and people in the future from doing what was done
17 to me and my family and Jesse. I don't -- it can't be a
18 slap on the wrist, it can't be like somebody getting a
19 speeding ticket and just paying the ticket and then they
20 go out and do the same thing over again.

21 It's got to be -- there's got to be
22 substantial consequences for the actions to prevent that
23 from feeling or continuing to happen or happening again
24 in the future. And a monetary amount has to make a
25 statement for that.

1 THE COURT: All right. Thank you,
2 Mr. Heslin. You may return back to the counsel table.

3 THE WITNESS: Okay. Thank you, Your
4 Honor.

5 Thank everybody in the courtroom for their
6 time.

7 THE COURT: Thank you.

8 MR. REYNAL: I have a motion I can bring
9 after Miss Lewis is done, if you would prefer, Your
10 Honor.

11 THE COURT: Sure.

12 Mr. Ball, your next witness. I'm -- yes,
13 sorry, sometimes I look over and I forget which one I'm
14 looking at but I got that one right.

15 MR. BALL: The plaintiffs call Scarlett
16 Lewis to the stand.

17 THE COURT: Miss Lewis, if you'll come
18 stand in front of me, please.

19 Raise your right hand.

20 Do you solemnly swear or affirm under
21 penalty of perjury that the testimony you are about to
22 give shall be the truth, the whole truth, and nothing
23 but the truth?

24 THE WITNESS: I do.

25 THE COURT: Thank you so much, ma'am.

1 Come have a seat in the witness chair.

2 And I know you've heard me say it a bunch
3 of times, there's water, there's tissues. We need to be
4 able to hear you, so please speak into the microphone.
5 Let the lawyers ask their question and then answer,
6 answer out loud and in words.

7 Can you do that for me?

8 THE WITNESS: Yes.

9 THE COURT: Thank you so much.

10 You may begin.

11 MR. BALL: Thank you, Your Honor.

12 SCARLETT LEWIS,

13 Having been duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MR. BALL:

16 Q. Miss Lewis, if you would, please, introduce
17 yourself to the jury.

18 A. My name's Scarlett Lewis, and I am first and
19 foremost the mom of two boys, Jesse and his surviving
20 brother, and I'm the founder of the Jesse Lewis Choose
21 Love Movement.

22 Q. We're going to talk about that in a little
23 bit. Before we do, though, I would like for you to tell
24 us, please, where you were when you first became aware
25 of this disgusting conspiracy that Jesse's murder didn't

1 happen.

2 A. After the firehouse, the firehouse is where
3 we congregated to find out if Jesse was coming back or
4 not, I actually went to my mom's house. I -- I'm a
5 single mom and I didn't want to go back to the house
6 that I had raised Jesse in. So, I went back to my mom's
7 house, who lives nearby. And my -- all of my family and
8 friends since high school flew in, and so it was an --
9 it was a crowded house and I was in shock and just
10 trying to maintain.

11 But I do remember that there were some
12 hushed whispering going around about people talking
13 about something and they didn't want me to know, so, of
14 course I wanted to know. And they were telling me that
15 there was someone saying that that the tragedy hadn't
16 happened. Which was so crazy to me, because I was
17 living it.

18 Q. Is this the first time you became aware of
19 Alex Jones and his associates?

20 A. Yes.

21 Q. Tell me when the first time it is that you
22 became aware that this general conspiracy, this
23 disgusting web of lies, began to spin about your son's
24 murder and Sandy Hook in general?

25 A. Well, other than that first time I guess it

1 would be a couple of months later, when the third and
2 fourth grade choir from the Sandy Hook Elementary School
3 had been invited to the Superbowl to sing I think
4 America the Beautiful with Jennifer hudson, and such a
5 beautiful invite for them and kind of exciting
6 experience after what they had been through, they had
7 been in the Sandy Hook Elementary School at the time of
8 the shooting so they're considered survivors. And I
9 knew that they were going down and I watched them. And
10 then I saw the picture with overlay afterwards
11 circulating with the kids' names on them. Jesse being
12 left front.

13 Q. Malisa, if we could, let's bring up PX 43.

14 The picture that you're talking about, the
15 Superbowl, you heard about this picture before seeing
16 it?

17 A. I heard about it before seeing it, I can't
18 remember. I can't remember. I don't know, things
19 circulated back then.

20 Q. Sure. This is the picture you're talking
21 about?

22 A. Yes.

23 Q. The Superbowl picture that has I believe you
24 just said Jesse front left?

25 A. Yes.

1 Q. Jesse's name in the front left?

2 A. Yes. Fake name.

3 Q. Sure.

4 What was your understanding about this and
5 how did it make you feel?

6 A. It was deeply unsettling. What people were
7 saying about the -- December 14th, the shooting, that it
8 didn't happen; that these children from the Sandy Hook
9 school were actually the victims, alive, older, it was
10 deeply unsettling to me because it's so out of touch
11 with reality that it's scary. It was scary to think
12 about who would think like this.

13 Q. I want to take you back even before this.
14 Well, first off, did you understand this picture, this
15 pushing of this information including this picture and
16 the Superbowl thought came from Alex Jones or was being
17 pushed by Alex Jones?

18 A. Can you repeat the question?

19 Q. Sure. That was a bad question.

20 Did you understand this picture, this
21 conspiracy here, to be coming from Alex Jones?

22 A. Yes.

23 Q. Pushed, pushed by Alex Jones?

24 A. Yes.

25 Q. I want to take you back even before this.

1 Was there anything about your understanding or did you
2 learn or was Jesse's wake interrupted in any way by this
3 conspiracy, this web of lies?

4 A. Yes. So, Jesse was murdered on a Friday and
5 the following Wednesday we had a wake for him at a local
6 funeral home, and people were lined up outside. And
7 then coming in we were -- we had an open casket, and we
8 were blessed to be able to have an open casket because
9 of the lack of damage done to the body.

10 So, people would walk in, they would sign
11 something, they would walk past the casket and then to
12 me. And so I'm just meeting people as they're coming
13 through and I remember looking up and seeing the Hell's
14 Angels there and I thought, well, at the time I was in
15 shock and so I just thought -- I, you know, it was -- it
16 was surreal, anyway. But then I found out later that
17 they were there to, ironically, keep the peace, which
18 was also surreal to me, to make sure that there wasn't a
19 disturbance at the wake.

20 Q. Your understanding is that this came from
21 the beginning of this conspiracy and web of lies that
22 Jones was pushing?

23 A. Yes.

24 Q. I want to talk to you a bit about other
25 encounters that you've had with the public as it

1 concerns this web of lies and what Jones was pushing,
2 okay?

3 Have you received, I'm not going to go
4 into every one of them, but have you received emails,
5 threats, death threats and the like, as it concerns
6 this?

7 A. Yes.

8 Q. One of those emails let me provide to you.
9 Marked as Plaintiffs' Exhibit Number 131. Does this
10 refresh your recollection of one of the emails?

11 A. Yes. It's actually a couple of emails.

12 Q. I might have given you the one that is
13 highlighted. Did I give you the one that's highlighted
14 there?

15 A. No.

16 Q. Okay. It's a bunch of emails.

17 Q. 131, thank you. This is highlighted.

18 If we could, Plaintiffs move -- first,
19 Plaintiffs move Exhibit 131 into evidence.

20 THE COURT: Any objection?

21 MR. REYNAL: No.

22 THE COURT: Plaintiffs' 131 is admitted.

23 *(Plaintiff's Exhibit 131 admitted.)*

24 MR. BALL: If you would please, Malisa,
25 bring up 131. Go to page 2 there with me.

1 BY MR. BALL:

2 Q. And we see on page 2 this email is from a
3 person that we've seen or heard of in this trial a
4 bunch, Wolfgang Halbig.

5 A. Yes.

6 Q. Do you know who Wolfgang Halbig is?

7 A. Yes.

8 Q. One of many people associated with Alex
9 Jones in this grotesque lie about your son's murder?

10 A. Yes.

11 Q. One of the people that Alex Jones pushed
12 over and over on his show?

13 A. Yes.

14 Q. If we can go to page 3. We have there at
15 the very top, and we'll highlight it for you, Rob D,
16 InfoWars.com?

17 A. Yes.

18 Q. You might be able to see it on the screen,
19 we've highlighted it here.

20 THE COURT: Can you see those?

21 THE WITNESS: I can, yes.

22 BY MR. BALL:

23 Q. That's an Alex Jones InfoWars website, or
24 email, shall I say?

25 A. Yes.

1 Q. I want to talk to you a little bit about
2 this email. It first says, "Neil Heslin is not Jesse's
3 dad, unless you can send me his birth certificate."

4 How did that make you feel?

5 A. It's not the only time that Jesse and his
6 birth certificate have been questioned. It was deeply
7 unsettling. If you read the rest of the email, it's
8 pulling names from different parts of my life, all my
9 family, you know, my friends, previous relationships.
10 It's deeply unsettling.

11 Q. What is it like, having people associated or
12 Jones and his associates asking you for birth
13 certificates? How does that make you feel?

14 A. I remember a different email asking me for
15 Jesse's birth certificate, and I had -- I had actually
16 been on the phone with a school in Texas who had had a
17 child that had died by suicide because of continuous
18 bullying, and I thought -- I sat down, I opened the
19 email and I read that and I thought -- and they were
20 asking me to come in and talk and help their student
21 body. And I sat down, I opened up the email and I
22 thought, I have a connection with that little boy.

23 That's how it made me feel.

24 Q. If we go on down this page, I'm going to
25 read something for you, and I'm going to apologize first

1 because I know that this must be true. It says:

2 "I have been avoiding Scarlett because I
3 find her appalling and disgusting. If the
4 *Arkansas Democrat Gazette* published a spin
5 article on Scarlett and her beginnings in
6 Fayetteville, then further research is
7 warranted into this woman's past and her
8 extended family. We know she is a fraud, but
9 how deep it goes we may not know, yet."

10 What is it like, reading those words after
11 what you've gone through?

12 A. Deeply unsettling. The *Arkansas Democrat*
13 *Gazette* was actually doing an article on me because I
14 was there speaking in schools about a movement that I
15 started in my son's honor, and I am actually from
16 Arkansas and -- and so it was, you know, deeply, deeply,
17 deeply upsetting. And then also upsetting that you have
18 people that are thinking that of you, appalling and
19 disgusting. It's in your face, it's scary.

20 Q. There is another email where you
21 have -- well, let me ask it a different way. How does
22 this make you feel as it concerns your own security and
23 safety?

24 A. I feel compromised. I mean, you can look at
25 this email and you see that they have done research on

1 me, and I don't -- I guess through social media and
2 maybe websites to do searches on people. They have all
3 the different names that I've ever used and that I use
4 now, they have people that they've dragged out from my
5 past. It's, I know I'm using this word a lot, but
6 deeply unsettling, to your very core.

7 Q. You referenced research that they're doing
8 on you. Let's look at the next page, page 3. At the
9 top of the page it reads, "Neil Heslin, 57, reportedly
10 is the father of Jesse McCord Lewis. Not very likely.
11 Perhaps J.T. stand for Jordan Trent." And then there is
12 a picture of you with other people in your family.

13 How does this make you feel? Explain this
14 for us, please.

15 A. Well, I'll go back to the previous page for
16 a second, and it says, "They attended in 1984," so I was
17 in high school, "a concert," and I did. But that's not
18 my name. And yeah, those are the names of my brothers.
19 So it definitely makes me feel victimized and, you know,
20 it's -- it's not just me, it's not just my son, you
21 know, it's interesting, the ripple effect. This is now
22 my entire family. It's my friends. It's people that I
23 have known in my past, it's -- it goes -- it's far
24 beyond just me. And Jesse and my surviving son.

25 Q. The next page, please, Malisa.

1 Having pictures sent to you by someone you
2 don't know, who is clearly mentally unstable, what does
3 that do to your psyche? To your trust in the outside
4 world?

5 A. I mean, this is supposed to be me but it's
6 not, it's actually another victim's family. Supposedly
7 they think it's me.

8 It's different than losing a son -- having
9 a son murdered, I didn't lose him, he was murdered.
10 It's different than having a son murdered, because as
11 shocking as that was, that happens. People go through
12 that. But then being a victim's parent and having
13 someone victimize you in a different way is -- and like
14 this, just completely -- like you try to process the
15 death of a child, and it's -- people have done that, but
16 you can't process this. You can't make sense out of
17 nonsense.

18 Q. This is one of many emails you have
19 received. Is that fair?

20 A. Yes.

21 Q. Is this representative of the other emails,
22 the other communications that you have received?

23 A. Yes.

24 Q. Again I'm not going to talk about every one
25 of them, but I want to talk about a few others.

1 Plaintiffs' Exhibit 128.

2 Does this refresh your recollection of
3 questions further that were sent to you from this
4 Wolfgang Halbig that Alex Jones over and over again
5 referred to on his radio show?

6 A. Yes.

7 MR. BALL: Plaintiffs move into
8 Exhibit 128.

9 THE COURT: Any objection?

10 MR. REYNAL: Yes, Your Honor. Lack of
11 foundation as to how it was received, what year, all
12 that kind of stuff.

13 THE COURT: Can I see it?

14 MR. BALL: Sure, Your Honor.

15 I can lay another foundation.

16 THE COURT: Okay.

17 BY MR. BALL:

18 Q. The exhibit that you have in front of you
19 marked as Exhibit 128, this is an email, an attachment
20 to an email that you had received before. Correct,
21 Miss Lewis?

22 A. Yes.

23 Q. And it is an attachment to the email that we
24 looked at there in Exhibit 131?

25 THE COURT: This is an attachment to the

1 exhibit that's already been admitted?

2 MR. BALL: Yes, well, I think I probably
3 should have just admitted them together, but yeah.

4 MR. REYNAL: On that basis I have no
5 objection, if it's part of the earlier email.

6 THE COURT: 128 is admitted.

7 *(Plaintiff's Exhibit 128 admitted.)*

8 BY MR. BALL:

9 Q. 128, if we could please put that up, Malisa.

10 I want to read the bottom of it.

11 "A criminal faction is manipulating your
12 thoughts and feelings by withholding
13 information regarding the Sandy Hook school
14 shooting of December 14, 2012. My friends and
15 I want specific and complete answers to the
16 following questions. We would be pleased if
17 you, too, would be curious enough to desire
18 answers to these 51 questions."

19 This is something that was sent to you?

20 A. Yes.

21 Q. Were you sent emails from Wolfgang Halbig
22 concerning these questions of Sandy Hook on a number of
23 occasions?

24 A. Yes.

25 Q. How does receiving these questions

1 questioning the murder of Jesse Lewis, your son, how
2 does that make you feel?

3 A. Unsafe.

4 Q. Does it make you relive the moments
5 surrounding his murder?

6 A. Yes.

7 Q. Does it reopen the wounds that were created
8 as a result of your grief?

9 A. Yes.

10 Q. Does it make them difficult to hear?

11 A. Yes.

12 Q. Tell us about that.

13 A. Healing from having a child murdered is
14 possible. It's a lifelong, lifelong journey. It's like
15 losing a limb and, you know, there's phantom pains,
16 evidently, I don't know, but when you lose a limb you
17 always feel it, it's like it's always there, because
18 you're so used to having it. You should have it and you
19 probably reach out for something with a hand.

20 And that's how I kind of compare losing a
21 child, like that. He should be here and he's not. But
22 it's something that you can process.

23 This, I think the fear and anxiety and
24 unsafeness and that this, that all of these, this just
25 continuous, and it doesn't even have to be that many,

1 it's just, you know, this element that's always in the
2 background of fear keeps you from -- keeps me from
3 healing. It definitely, it definitely negatively
4 impacts the healing process.

5 Q. Miss Lewis, have -- by the way, where do you
6 live?

7 A. I live in Sandy Hook.

8 Q. Do you live in the same house that you lived
9 in with Jesse?

10 A. I do.

11 Q. And have you had people come to that house,
12 make you feel unsafe there because of these lies and
13 conspiracy that Jones has been pushing?

14 A. Yes.

15 Q. Tell us about that.

16 A. There was a Christmas, and we usually now go
17 over to my mom's for Christmas because I don't put up a
18 tree anymore. But it was Christmas morning and I had a
19 car drive into my driveway and a man got out, started
20 taking pictures.

21 And so, I walked outside and I said,
22 excuse me, and he took pictures and then got back in his
23 car and drove away. Unsettling.

24 Q. Do you feel unsafe at your own house?

25 A. I have, yes.

1 Q. We heard briefly, I just need to address it,
2 we heard briefly that you own a gun at your house.

3 A. Yes.

4 Q. Is that because of the safety fears that you
5 have?

6 A. Yes.

7 Q. If you would like to explain a little
8 further.

9 A. Well, I'm a single mother and responsible
10 for the safety of both of my boys. And I was not able
11 to keep one of them safe, and so I am going to keep my
12 surviving son safe. And, you know, you can tell by
13 these emails that the people writing them are not
14 grounded in reality, and that is deeply concerning. And
15 you can tell, I could tell, by the InfoWars, the two
16 people that testified from InfoWars, as well as Alex
17 Jones, that they don't care. That's also deeply
18 unsettling.

19 Q. When InfoWars, Dan Bidondi I think you've
20 seen on the screen and others from InfoWars, would come
21 to town in Newtown, the Sandy Hook community, would you
22 hear about it?

23 A. Yes.

24 Q. How?

25 A. The mayor at the time would send out an

1 email to the parents, advising us of the fact that they
2 were coming to town and telling us to stay in our homes,
3 stay safe, just be aware. And so I would.

4 Q. How did it make you feel when someone told
5 you that these people were coming into town, knowing
6 what they were saying?

7 A. It was frightening. You didn't know what to
8 expect, you didn't know what they were going to do.
9 They would show up at different places, make outlandish
10 allegations and accusations and threats and, um, you
11 felt limited by that.

12 Q. The death threats that you heard or the,
13 excuse me, let me ask it a different way. Are you aware
14 of other parents in the community living these same
15 nightmares and death threats that you're talking about?

16 A. Yes.

17 MR. REYNAL: Objection, Your Honor.
18 Relevance, other parents.

19 THE COURT: Well, we've gotten the answer.
20 I'm going to overrule it, let's see where go.

21 BY MR. BALL:

22 Q. And does knowledge of what others in that
23 community who have lost a child affect how you feel and
24 go about your day?

25 A. Absolutely. I mean, we are almost like a

1 family. I mean, we are bonded forever, the 26 families,
2 by what we've been through. So, if something happens to
3 one of them, we hear about it. And it is like it's
4 happening to us.

5 Q. Do you share with them what has happened to
6 you in that same regard for that same reason?

7 A. Yes.

8 Q. There are death threats that you are aware
9 of to other people that you believe apply to you, as
10 well?

11 A. Yes.

12 Q. Are you aware of a particular person, her
13 name is Lucy Richards?

14 A. Yes.

15 Q. And --

16 MR. REYNAL: Object again on relevance,
17 hearsay.

18 THE COURT: Overruled.

19 BY MR. BALL:

20 Q. What is your awareness and understanding of
21 who Lucy Richards is?

22 A. Lucy Richards is a woman who made threats to
23 the Pozner family, both Veronique and Lenny, on their
24 voicemails, and she was later arrested and jailed for
25 those death threats.

1 Q. Are you aware that one of the punishments
2 that she was given is she couldn't listen to the Alex
3 Jones Show?

4 MR. REYNAL: Object to the hearsay, Your
5 Honor.

6 THE WITNESS: Yes, I am aware of that.

7 THE COURT: Overruled.

8 BY MR. BALL:

9 Q. And knowing that someone was punished and
10 that they're not allowed to listen to The Alex Jones
11 Show, how does that affect the way you react to further
12 harassment from his show?

13 A. You see the type of -- some of the people
14 that listen to his show and take everything that he says
15 at face value.

16 Q. You have heard the actual death threats from
17 Miss Richards?

18 A. I have.

19 Q. Would hearing one of those death threats
20 better help us to understand how you receive them and
21 the anxiety that's given to you?

22 A. Yes.

23 MR. REYNAL: Your Honor, I'm going to
24 object to the hearsay, 403. A death threat that Lucy
25 Richards left for the Pozner family in Florida has no

1 relevance to this case.

2 MR. BALL: It has -- may I respond, Your
3 Honor? It has the utmost relevance in this case. Every
4 family member, as she has testified, talks to each
5 other, and a death threat upon one they perceive as
6 information to themselves. This is something that I
7 think she well understood thus far that causes her
8 anxiety, and talking about the death threat certainly
9 isn't going to be as easy for her to relay to the jury
10 her feelings than actually hearing the death threat.

11 So, it is for the purposes of not -- not
12 for the truth of the matter asserted, certainly, but
13 because -- for demonstrative purposes, I should say.

14 THE COURT: So, you're asking to play it
15 but not admit it into evidence.

16 MR. BALL: That is correct, Your Honor.
17 I'm sorry, I should have said that.

18 THE COURT: How long is it?

19 MR. BALL: Four to eight seconds.

20 THE COURT: All right. It will be played
21 for the purpose of further questioning of Miss Lewis
22 about her state of mind and how it affects her as
23 relates to this case, not for any truth contained in it,
24 so.

25 MR. BALL: Thank you, Your Honor.

1 *(Audio played off the record.)*

2 BY MR. BALL:

3 Q. When you hear -- by the way, this was sent
4 to Lenny and Veronique Pozner?

5 A. Yes.

6 Q. You know the Pozners?

7 A. I do.

8 Q. You know them well?

9 A. Yes.

10 Q. Speak to them often?

11 A. Not that often, but.

12 Q. Sure. Speak to them --

13 A. Yes.

14 Q. -- I guess is what I'm trying to get at.

15 You heard this directly from them?

16 A. Yes.

17 Q. They -- they allowed you or wanted you to
18 hear this?

19 A. Yes.

20 Q. And when you heard this the first time, how
21 did that make you feel?

22 A. Frightened. It's a death threat.

23 Q. Did you feel as though it was directed to
24 you, as well?

25 A. I felt like it was directed to all the

1 families.

2 Q. Does that affect you, knowing one family is
3 receiving death threats?

4 A. Absolutely.

5 Q. There are -- are there a number of other of
6 these recordings that you heard?

7 A. Yes.

8 Q. I'm not going to have you listen to them
9 today for obvious reasons, but have all of the other
10 recordings from this woman caused you fear, anxiety?

11 A. Yes.

12 MR. REYNAL: I object to facts not in
13 evidence, Your Honor.

14 THE COURT: She just testified. That put
15 it in evidence. Overruled.

16 BY MR. BALL:

17 Q. The fear and anxiety that comes with this,
18 can you please explain it to us.

19 A. It's fear, fear for your life, but I guess
20 it's not even mostly fear for mine, it's fear for my
21 surviving son, it's fear for the other people that have
22 been brought into this, my family and friends. It's --
23 it paints everything.

24 I paint and I've described it like I
25 just -- it's one more layer. You have a painting and

1 then your son is murdered and that's a varnish on it and
2 then this is another varnish, a darker varnish on top of
3 all of that, it's just with you all the time. It's just
4 a thought in your head all the time.

5 THE COURT: It is actually noon. I think
6 we will take our lunch break now. We'll return at 1:30.

7 For my jury, you may not discuss anything
8 that you have heard in court so far.

9 All right. So we'll take a break until
10 1:30.

11

12 *(Whereupon the jurors exit the courtroom*
13 *and the following proceedings were held in open court)*

14 MR. REYNAL: May I briefly, Your Honor?

15 THE COURT: You may be seated.

16 Yes, Mr. Reynal.

17 MR. REYNAL: Just to reurge my motion for
18 mistrial under 41.011 based on the testimony of
19 Mr. Heslin and the testimony that's just been elicited
20 from Miss Lewis.

21 THE COURT: All right. That motion is
22 denied.

23 Anything else?

24 MR. REYNAL: No, Your Honor.

25 THE COURT: All right. At some point

1 someone will bring out Version 2 of the charge and leave
2 it on your tables for you during the lunch break.

3 MR. REYNAL: Did Your Honor receive my
4 email?

5 THE COURT: I received an email from each
6 side and I have incorporated what I think is appropriate
7 and I'll let you take a look at it when we bring it back
8 out.

9 (Noon recess.)

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1 TUESDAY, AUGUST 2, 2022 - AFTERNOON SESSION

2 *(The following proceedings were held in open court)*

3 THE COURT: I heard somebody wanted to
4 talk to me without the jury?

5 MR. BALL: Yes, Your Honor.

6 THE COURT: On the record?

7 MR. BALL: Sure.

8 THE COURT: Okay.

9 MR. BALL: I wanted to bring to the
10 Court's attention now that, while Mr. Heslin was on the
11 stand, Alex Jones was on his radio show saying what I
12 believe to be pretty much per se defamatory statements
13 of Mr. Heslin. And, in addition to that, what he had to
14 say about Mr. Heslin in this process and even mentioned
15 Mrs. Lewis's name I believe goes directly to her claim
16 for intentional infliction of emotional distress. And I
17 am going to admit through her the video of Mr. Jones on
18 his show not 45 minutes or so ago.

19 I wanted to bring that to the Court's
20 attention now in case we needed to talk about that so
21 the jury doesn't have to leave when I bring it up.

22 THE COURT: All right. Are you going to
23 have an objection?

24 MR. REYNAL: I haven't seen the clip. Is
25 it the whole show that he would like to bring in?

1 MR. BALL: It certainly isn't the whole
2 show that I would like to bring in, I don't think it has
3 any value except for the statement that I want to bring
4 in, and I can play it now.

5 THE COURT: All right, why don't you that
6 now.

7 MR. BALL: Sure.

8 *(Video played off the record.)*

9 So, I think this goes to direct evidence
10 of her emotional and -- her intentional infliction of
11 emotional distress, it goes to punitive damages; and
12 there's a number of different ways that it goes to both
13 of those and I would like to play that during her
14 further direct examination.

15 MR. REYNAL: I've been told that it goes
16 on, and he says that he is sorry, and we ask that the
17 entire part be played.

18 THE COURT: Spit your gum out, Mr. Jones.

19 Mr. Jones: It's not gum.

20 THE COURT: What is it? Because you're
21 not allowed food or gum of any kind in the courtroom.

22 Mr. Jones: I had my tooth pulled a week
23 and a half ago and I had some gauze in there earlier and
24 it's been causing me to have some pain.

25 THE COURT: So, you're chewing on your

1 gauze.

2 Mr. Jones: Would you like me to show you?

3 THE COURT: No, I would just like you to
4 answer my question.

5 Mr. Jones: No, I'm just massaging the
6 hole in your mouth with my tongue (indicating).

7 THE COURT: I don't want to see the inside
8 of your mouth.

9 Mr. Jones: There's no gum. Hole.

10 THE COURT: Sit down.

11 Do you want to play the rest of it to see
12 if you'll -- I mean, if we're going to go on this path
13 it can go on all day.

14 MR. BALL: I don't want to play it because
15 defaming someone and continuing this whole saga and then
16 saying "I'm sorry" isn't optional completeness.

17 THE COURT: Well, I agree with that.

18 You haven't seen it, you don't know what
19 it says. I'm not going to play it if you are not
20 prepared to play it. So, your request will be denied at
21 that time, I guess. Or now. I can deny it now.

22 MR. REYNAL: We're not going to play --

23 THE COURT: I'm not going to play anything
24 extra that I haven't seen that you haven't seen that
25 you're not prepared to show me. We don't know what it

1 says.

2 MR. REYNAL: I would object to playing of
3 any tape, Your Honor. I think that it just injects
4 error into this record, there is no purpose to it. I
5 object to it, Your Honor, and I object also that, you
6 know, I haven't been given adequate notice or been able
7 to review the tape to see what other things --

8 THE COURT: Well, it's hard to give you
9 more notice when it just was created today. That's
10 about as much notice as you can get, so that certainly
11 is overruled, as far as an objection.

12 The other objections, I don't know what
13 objection "there is no purpose to it" is. I guess
14 relevance. It's definitely relevant. So, the objection
15 as to relevance, if I'm reading into what you said, is
16 overruled.

17 The objection as to notice is overruled.
18 We've also had other attorney and judge conversations
19 about statements made during this trial and how there
20 doesn't have to be any more notice than it's made, it's
21 new, that's the notice.

22 I don't know. Let's see what the
23 testimony is and how we continue.

24 And are we ready?

25 MR. BALL: I'm ready, Your Honor.

1 THE COURT: All right. Miss Heslin, can
2 you come back up here please, ma'am? I mean Miss Lewis.
3 I apologize.

4 We're ready for the jury.

5 *(The following proceedings were held*
6 *in open court in the presence of the jury.)*

7 THE COURT: All right, you may be seated.
8 Mr. Ball and Ms. Lewis, are you ready to
9 proceed?

10 THE WITNESS: Yes.

11 THE COURT: All right, you may do so.

12 DIRECT EXAMINATION

13 BY MR. BALL:

14 Q. Miss Lewis, can we continue what we were
15 talking about earlier?

16 A. Yes.

17 Q. Okay. Before we do that, though, are you
18 pleased that you at least now finally get to look this
19 man in the eye?

20 A. Yes.

21 Q. Okay. Then I would like to put some context
22 to what we have spoken about before we continue; okay?

23 Malisa, if you would bring up Plaintiff's
24 Exhibit 3. Photograph of Jesse.

25 Jesse Lewis. Your son. Tell us about

1 him.

2 A. I like to share the story of when Jesse was
3 born, and Neil shared a little bit of this earlier, but
4 he was 11 pounds, so he was a C-section. And the first
5 time that I saw him I actually walked to the nursery and
6 there were all these nurses gathered around the window
7 taking pictures, and I asked them, what are you taking
8 pictures of? And they said, there's this enormous baby
9 and he's trying to crawl out of his bassinet. So, he
10 had literally crawled down to the bottom and he was
11 trying to get out.

12 And I like to share that story because
13 that's how he was his entire life. He was larger than
14 life, he was loud, he was bouncing off the walls.
15 That's my first memory.

16 Q. Tell us more about Jesse. How was his
17 personality?

18 A. He was very bold, he was very old for his
19 age, he would walk up to a group of people and he would
20 say -- he would introduce himself, a group of men, "Hi,
21 my name is Jesse Lewis. What's your name?"

22 He was very protective of his family, and
23 I have a little farm, he would put on an army helmet
24 that my friend had given him and he would -- we called
25 it patrolling, he would walk along the walls, all the

1 corners, and then wait for people to come in at the
2 gate.

3 Q. And what was some of the -- let me ask it
4 this way, what is your understanding of Jesse's last
5 day?

6 A. So, Jesse is actually known for, during his
7 final few moments, the shooter came into -- he shot his
8 way through the glass doors of Sandy Hook Elementary
9 School and then he made a left and he shot his principal
10 and guidance counselor, they were coming out of the
11 meeting on the first door on the right of the hallway.
12 Now, he, Adam Lanza, had been to this school, so he knew
13 the layout, he knew that this was the first grade
14 hallway. And so, they heard the gunfire, they came out
15 of the room, they were murdered right outside of Jesse's
16 classroom. And then he made a left into the classroom
17 door.

18 And was firing adult height and hit his
19 teacher, who he was standing right in front of, and then
20 his gun either jammed or ran out of bullets. And during
21 the short delay he actually stood up to the shooter and
22 he saved nine of his classmates' lives before losing his
23 own.

24 And for that, for that act of bravery, he
25 was actually given a Commander in Chief funeral reserved

1 for heads of state and returning war heros. And Jesse
2 was actually considered a war hero, because his first
3 grade classroom was a literal war zone.

4 Q. This man, through his show and his lies,
5 that's denied the very existence of your son Jesse
6 Lewis, how does it make you feel, being able to come in
7 today and tell him, to his face, your story?

8 A. I wanted to tell you, to your face, because
9 I wanted you to know that I am a mother, first and
10 foremost, and I know that you're a father. And my son
11 existed. You're still on your show today trying to say
12 that I am -- implying that I'm an actress, that I'm deep
13 state.

14 You have. This week.

15 And I don't understand. Truth, truth is
16 so vital to our world. Truth is what we base our
17 reality on. And we have to agree on that to have a
18 civil society. Sandy Hook is a hard truth. Hard truth.
19 Nobody would want to ever believe that 26 kids could be
20 murdered. Nobody would ever want to believe that. I
21 understand people not wanting to believe that, actually.
22 I don't want to believe it.

23 But I've, since that day, dedicated my
24 life to keeping kids safe. It's our responsibility. I
25 used to think it was the school's responsibility. It's

1 actually our responsibility. And I've dedicated my life
2 to that. And having a quarter of Americans doubt that
3 Sandy Hook happened or doubt the facts around Sandy Hook
4 is not conducive to keeping our kids safe. It's not.
5 And it's our responsibility to keep our kids safe.

6 This happened almost ten years ago. We've
7 had over 350 school shootings since then. We have to
8 keep our kids safe. Jesse was real. I am a real mom.
9 There's nothing out there, nothing, there's records of
10 Jesse's birth, of me. I mean, I have -- I have a
11 history, and there's nothing that you could have found
12 because it doesn't exist that I'm deep state. It's just
13 not true. I know you know that.

14 That's the problem, I know you know that.
15 And you keep saying it. You keep saying it. Why? Why?
16 For money? Because you made a lot of money while you've
17 said it. I know -- I mean, I know you believe me. And
18 yet you're going to get -- you're going to leave this
19 courthouse and you're going to say it again on your
20 show.

21 You're saying "no." You just did it.

22 Q. Over the break, Ms. Lewis, did you have an
23 opportunity to hear what Mr. Jones said on his show
24 about what Mr. Heslin was -- or about Mr. Heslin and his
25 testimony?

1 A. Yes.

2 MR. REYNAL: I'm going to object, Your
3 Honor, for all the reasons I stated before. It's an
4 edited clip, I don't think it should be played.

5 THE COURT: Overruled.

6 BY MR. BALL:

7 Q. Miss Heslin, you have a claim for --

8 A. Miss Lewis.

9 Q. Did I say -- excuse me. Miss Lewis.

10 You have a claim for intentional
11 infliction of emotional distress, do you not?

12 A. Yes.

13 Q. And when this man says bad things and lies
14 about your son's father, Mr. Heslin, how does that
15 affect you?

16 A. It affects me because that is the father of
17 my son. That is, you know, we're bonded forever through
18 connection, through Jesse, through Jesse's spirit. And
19 that impacts me.

20 If you have the capacity to put yourself
21 in my shoes, do you have empathy? Because the two
22 people that work for you don't seem to have empathy or
23 care. They really don't. I was looking for some
24 caring. I did not see it. Do you?

25 Q. And Miss Lewis, does it continue to cause

1 you emotional distress when you hear this man peddle the
2 thought that you are in some way or another an actor or
3 controlled by other people or like thoughts?

4 A. Or that Sandy Hook was a total hoax; that it
5 was a false flag; that it never happened; that there
6 were no children killed.

7 And you know that's not true. You know
8 that's not true. But when you say those things there's
9 a fringe of society that believe you that are actually
10 dangerous.

11 Q. The video that you saw over break from
12 Mr. Jones' website radio show InfoWars, did that cause
13 you or affect you emotionally further?

14 A. Absolutely.

15 MR. BALL: If we could please -- what
16 exhibit will this be, Malisa? PVX 32? Please play --

17 We offer PVX 32 into evidence, Your Honor.

18 MR. REYNAL: Objection, your honor.

19 THE COURT: The objections are overruled.
20 I, however, think that you need to establish a little
21 bit more about this video, when it was aired, et cetera.

22 MR. BALL: Sure, sure.

23 THE COURT: You haven't done that yet.

24 BY MR. BALL:

25 Q. While you were on break did part of your

1 team download this video?

2 A. Yes.

3 Q. And are you aware that the video was created
4 during or shortly after Mr. Heslin's testimony?

5 A. Yes.

6 Q. Okay. And did that video come from the
7 InfoWars website?

8 A. Yes.

9 Q. And did you personally see that the video
10 came from the InfoWars website?

11 A. Yes.

12 THE COURT: PVX 32 is admitted.

13 *(Plaintiff's Exhibit PVX 32 admitted.)*

14 MR. BALL: Thank you, Your Honor.

15 *(Video played off the record.)*

16 BY MR. BALL:

17 Q. How does it make you feel, knowing that that
18 was said today by this man on his radio show while
19 Jesse's father was testifying in that same seat you're
20 sitting in?

21 A. I've had a hard time finding words today.
22 It makes me feel astounded in a bad way. It's horrific.
23 Horrific. Horrific.

24 Q. Tell us, if you would, please, what are your
25 last -- one of your last memories of Jesse.

1 A. So, I'm a single mom and I work full time,
2 and so mornings are hectic with two boys, getting them
3 out the door. Neil was picking up Jesse that morning
4 and so I bundled him up, brought him outside, walked him
5 outside to meet Neil. And we were going to make
6 gingerbread houses with him, with their class, at
7 2:00 p.m. that day. So that was -- I never -- I worked
8 a lot, and so I had taken the afternoon off that day.

9 And so, Neil and I were finalizing the,
10 you know, I'll meet you at the school for the
11 gingerbread houses, and I turned around to give Jesse a
12 hug and I noticed that he had written in the frost on
13 the side of my car, because it's Connecticut,
14 December 14th is very cold, "I love you" in his -- with
15 his fingernail in the frost. And he had drawn hearts in
16 all my windows. And I knew that that was one of life's
17 special moments.

18 And so I told him, even though running
19 late, he's late, stay right here, I'm going to go get my
20 cellphone. I ran into the house, got my cellphone, came
21 back out. I remember taking him by the shoulders,
22 positioning him so he would be right by his message,
23 taking a picture. I remember it was overexposed so I
24 deleted it and then I took another picture and then I
25 took a close-up picture of the "I love you," and then I

1 gave him a hug. And sent him off to school.

2 That was the last picture that was ever
3 taken of him, and that was the last time I ever saw him.

4 Q. Was Jesse honored for his heroism that day?

5 A. He was. He was honored for his heroism at
6 his funeral. He was given a Commander in Chief funeral.
7 And my last memory really is driving him to the grave
8 site from where we held the funeral at a church to the
9 actual grave site, graveyard. I was in a car behind the
10 hearse that contained the casket, and I was in the car
11 with my son and a couple of other family members and we
12 were -- we had an -- I guess it's called a cavalcade or
13 multiple motorcycles in full uniform were in front of us
14 and behind us. Lots of first responders showed up from
15 multiple different states to honor his bravery.

16 And so they would, when we approached an
17 intersection, the back would come up to the front and
18 they would block off the intersection. And cars, just a
19 line of cars, pulled over to the side. People had
20 gotten out of the cars. They were kneeling on the
21 ground, praying, saluting (indicating) for his bravery.
22 And that was -- that's a special memory.

23 Q. How does this man's lies interrupt those
24 memories?

25 A. I mean, because then, then Alex gets on

1 there and says that it didn't happen; that it was a
2 false flag; that there were no kids killed.

3 And you cater to those people that are not
4 grounded in reality. You're not telling the truth, you
5 know the truth as a father and as someone that said they
6 researched Sandy Hook and there was lots of things on
7 there, and -- and so to come on and say that Jesse never
8 existed; that -- that it was a hoax; that it was a hoax.
9 I know there are hoaxes that are out there, but this was
10 an incredibly real event and I lived it. And it's --
11 it's unbelievable that you would continue to say that it
12 didn't happen.

13 Q. How does it affect your grieving process,
14 what a mother has to go through when she loses a son?

15 A. Having a son -- having a six-year-old son
16 shot in the forehead in his first grade classroom is
17 unbearable. Unbearable. You don't think you're going
18 to survive. But there are people that have. And -- and
19 then to have someone, on top of that, perpetuate a lie,
20 a lie, that it was a hoax, that it didn't happen, that
21 it was a false flag, that I'm an actress. And you get
22 on and you say, oh, sorry, but I know actresses when I
23 see them.

24 Do you think I'm an actress?

25 Mr. Jones: No, I don't think you're an

1 actress.

2 THE COURT: No, you can't talk right now.

3 THE WITNESS: Sorry, I did, I asked him a
4 question.

5 THE COURT: You get to testify right now,
6 you're under oath. Nobody else in the room is.

7 THE WITNESS: Anyway, and I think -- I
8 don't think you understand the fear that you perpetuate
9 to not just the victims's families, all of us and
10 others, but our family, our friends, every survivor from
11 that school. The ripple effect is enormous because
12 of -- because of the platform that you have, and the
13 fear that comes from that, the fear stops the healing of
14 and the mourning process, because you're afraid.

15 I don't think the two can happen at once.
16 I don't think that you can -- I don't think that you can
17 heal from the loss of your child and be afraid at the
18 same time. The fear stops everything.

19 BY MR. BALL:

20 Q. How do you recover from someone saying your
21 child wasn't murdered?

22 A. I don't think you can recover. I don't
23 think you do recover unless it -- unless it stops.
24 Unless it's retracted. Unless there's accountability
25 and responsibility, and that hasn't happened.

1 Q. What you've seen today, the video today,
2 what does that do to your hope of this man's
3 accountability and responsibility for it?

4 A. I don't understand. I don't understand. I
5 can't -- I cannot even make sense. That's one of the
6 problems. I can't make sense out of nonsense, out of --
7 why would you say it doesn't happen -- it didn't happen,
8 it's not happening, I'm an actress, I'm part of the deep
9 state, it's a hoax, it was a false flag, it never
10 happened, there were never any children. I don't
11 understand.

12 Yeah, I'm stuck.

13 Q. One of the things that you've done,
14 Miss Heslin, is --

15 THE COURT: Miss Lewis.

16 MR. BALL: Did I say Heslin? I'm sorry.
17 Miss Heslin. I have Mr. Heslin in mind because of the
18 video.

19 BY MR. BALL:

20 Q. One of the things that you have done,
21 Miss Lewis, to aid in your recovery is the Choose Love
22 Movement?

23 A. Yes.

24 Q. I see on your necklace there you've got --

25 A. I have "Nurturing, Healing, Love."

1 Q. Right.

2 A. Yeah.

3 Q. And that is part of the Choose Love
4 Movement?

5 A. It's actually why I started the Choose Love
6 Movement.

7 Q. If you could, tell us what the Choose Love
8 Movement is?

9 A. Yeah. I -- when I did come home to my house
10 I saw a message that Jesse had left on our kitchen
11 chalkboard shortly before he died. He had written three
12 words.

13 Alex, I want you to hear this, too.

14 He had written three words: Nurturing,
15 healing, love. This is what Jesse wrote on our kitchen
16 chalkboard, three words: Nurturing, healing, love,
17 phonetically spelled because he was in first grade and
18 just learning to write.

19 But I looked at those words and I found a
20 solution for what had happened. I knew that if Adam
21 Lanza had been able -- Adam Lanza is the former recent
22 student, recent graduate of Sandy Hook Elementary, the
23 Newtown school system. If he had been able to give and
24 receive nurturing healing love, the tragedy would never
25 have happened. And -- and so I dedicated my life to

1 spreading that message. I have it on my body at all
2 times.

3 I believe it was a spiritual awareness
4 that he had that he wasn't going to be on earth much
5 longer and he wanted to leave a message for his family
6 and friends of comfort. But also inspiration. I
7 believe that that message is where we need to turn in
8 order to survive, survive and thrive, keep our kids
9 safe.

10 It helped me. It helped me determine how
11 I was going to respond, knowing that we were responsible
12 for our children's safety, that what we had been doing
13 wasn't working, obviously. My son was dead. And so I
14 decided to take a completely different course. I
15 decided to address the root cause of the pain that led
16 up to Adam Lanza doing what he did. The root cause of
17 the isolation, loneliness, pain, suffering, bullying,
18 even -- even the root cause of substance abuse and a lot
19 of mental illness.

20 And so I started the Jesse Lewis Choose
21 Love Movement, and I started that movement in -- I mean,
22 we say it started at the -- at Jesse's funeral because I
23 got up and I talked about -- I talked about how an angry
24 thought started that whole tragedy and that an angry
25 thought can be changed, and I asked everybody to choose

1 a loving thought over an angry thought, and that changed
2 people's lives.

3 And so I -- I took that foundation and
4 Jesse's message and his courage that he showed and I
5 created a movement. I wanted it to be a place where,
6 because there was so much polarization after Sandy Hook,
7 it was polarized into anti-gun, pro-gun, that was the
8 conversation. All the blame went on Adam and his mom,
9 and that didn't make sense to me, because if it was all
10 their fault it would never have happened before,
11 obviously, and it would never happen again.

12 So, I wanted to create a space where
13 everyone could come together and what we all had in
14 common, even you and I, the want and need to love and be
15 loved, we're all the same in that, and so I created the
16 Choose Love Movement because I wanted to bring both of
17 the sides together.

18 Of course, we're more polarized now than
19 we ever have been as a country, you know that. Some of
20 that is because of you. And I am trying to bring us all
21 together in what we're the same in, which is the want
22 and need to love and be loved. All of us are the same
23 in that.

24 All of us feel pain. You've felt pain in
25 your life, I know. I have, too. And we have to teach

1 our kids how to process that pain so that they don't
2 turn into an Adam Lanza and they don't take it out on
3 other people. And that's what the Choose Love Movement
4 does, it's -- it's free programming for schools, homes,
5 and communities, it's comprehensive, there's nothing
6 else like it out there.

7 And that's what I've done every day since
8 I started this, which is very shortly after the funeral,
9 is I focus on the Choose Love Movement and I focus on
10 being part of the solution.

11 Q. Have you made it your life goal?

12 A. Yeah, it's absolutely my life goal, to make
13 sure that our children are safe and to safeguard their
14 safety and well-being. It's our responsibility. I
15 didn't know that before the tragedy. I didn't know -- I
16 mean, I'm a single mom, both my sons' safety was my
17 responsibility, and I knew that, but I wasn't aware that
18 our children's safety, our children's, including your
19 six-year-old son or daughter, is our responsibility.
20 And we have to do -- we have to do something to
21 safeguard them, especially in schools.

22 We keep our money safe, we can keep our
23 kids safe. And that is my life's goal.

24 Q. I know that your organization has created
25 some informational material. Would it aid you in your

1 explanation to the jury the further goals and the way
2 that this works if we showed it to them?

3 A. It would.

4 MR. BALL: Okay. If we could.

5 MR. REYNAL: I object, Your Honor, under
6 Rule 403 and hearsay.

7 THE COURT: That will be overruled.

8 THE WITNESS: I would like you to watch
9 it, Alex. I would like you to watch it, please.

10 *(Video is played off the record.)*

11 BY MR. BALL:

12 Q. Be a part of the solution. This has been
13 going since 2013?

14 A. Yes.

15 Q. Has it been a way for you to try to continue
16 to heal?

17 A. It has, yes.

18 Q. How has what this man has said about you and
19 your family and Jesse affected Choose Love and the way
20 that you are attempting to heal?

21 A. I am literally -- I have literally dedicated
22 my life to trying to keep kids safe and to spread a
23 message that we can thoughtfully respond in any
24 situation, circumstances, or interaction by choosing
25 love.

1 And you are spreading lies and -- and fear
2 and falsehoods and deception and untruths. There is a
3 truth and I believe that you know it. And this is so
4 important. I -- I feel like we're at odds with our
5 missions. I am trying to spread love, I am trying to
6 keep kids safe because I couldn't do it for my own. And
7 you are saying that it didn't happen and that -- and
8 you're taking away the credibility of what I'm trying to
9 do.

10 A quarter of Americans -- a quarter of
11 Americans believes that Sandy Hook didn't happen or they
12 doubt the facts surrounding it, and you continue to
13 peddle that conspiracy theory. And that is not
14 conducive to keeping our kids safe. It's not conducive
15 to keeping our kids safe. That's --

16 Q. The way that you have used Choose Love to
17 help yourself heal, has what Alex's lies and the lies
18 that he has given you, has that interrupted that
19 healing?

20 A. It has. It has. Because you can't heal
21 when you're afraid.

22 Q. There have been a couple of questions that
23 have been asked in this room about apology versus money
24 or compensation for damages.

25 You've heard those questions?

1 A. Yes.

2 Q. Talk to me about apology and compare that to
3 paying for the damage that has been caused. The way you
4 feel about those two.

5 A. Well, first of all, there has not been a
6 sincere apology. But if there was, ever, I liken it to
7 being in a car accident and you run over someone and
8 cause tremendous bodily damage and you look at that
9 person lying on the ground and say, I'm so sorry, I'm so
10 sorry, but I'm not accountable or responsible for any of
11 the damage that I just caused. But I'm sorry.

12 That's how I see it.

13 Q. Would you at this moment in time when you're
14 sitting on that stand now be at the stage where you
15 would be able to accept an apology? Would it mean
16 anything to you?

17 A. Not -- no.

18 Q. As to the other side of this, the damages
19 that this man -- that you're asking this man to pay for,
20 why are -- why are you asking for those damages? What
21 do you hope will be accomplished?

22 MR. REYNAL: I'm going to object. 41.011,
23 Your Honor.

24 THE COURT: Overruled.

25 MR. REYNAL: May I have a continuing

1 objection to this part of the testimony?

2 THE COURT: Sure.

3 THE WITNESS: Alex has been asked to stop
4 and he hasn't. He's still doing it today.

5 You've been doing it last week every day,
6 this week, or at least, I don't know, shows you've had
7 while you should be in here, you've been on your show
8 and you've been talking about this. Your counterpart
9 has been talking with you about this. And so you're not
10 going to stop. I don't even think my pleading with you
11 up here is going to get you to stop.

12 And so -- and all of the damage that you
13 caused, the fear that you've put people in, the -- from
14 your following, the way that you've impacted so many
15 lives, I think that there has to be accountability for
16 that.

17 I don't think you understand. I
18 don't -- I think you know that Sandy Hook is real and
19 that it happened. I know you're shaking your head "no,"
20 but I know that you think that it's real, I know that
21 you know that it's real, but I don't think that you
22 understand at all, because the people that work for you
23 don't, understand the repercussions of going on air with
24 a huge audience and lying and calling this a hoax and a
25 false flag.

1 You don't understand the repercussions to
2 individuals' lives. You don't understand the net that
3 is cast in a negative way. You don't understand that.
4 You don't understand. And I don't think you will
5 understand unless there's some form of punishment that
6 is significant that would make you understand that this
7 is real, this isn't staged, like one of your people
8 said. This is a real event.

9 It seems so incredible to me that we have
10 to do this. That we have to implore you, not just
11 implore you, punish you to get you to stop lying, saying
12 it's a hoax. It happened. It's like surreal what's
13 going on in here. I think everyone in here probably
14 feels that way.

15 I lost my train of thought, sorry.

16 BY MR. BALL:

17 Q. Is that what you hope to accomplish --

18 A. Yes.

19 Q. -- through this process?

20 A. Yes.

21 Yes. I hope to accomplish an era of
22 truth. An era of truth.

23 Please.

24 Q. How difficult has it been for you waiting
25 for this day, literally for this very moment, where

1 you're sitting in that chair right now, this reality,
2 how difficult has it been for you waiting for that?

3 A. In some way you've impacted every single day
4 of my life negatively since -- almost since Jesse's
5 murder, since 2013, when your videos were going around
6 in my house, in my mom's house, about starting to say
7 that this didn't happen. And I'm so glad that this day
8 is here. I'm actually -- I'm actually relieved,
9 because -- and grateful to everybody that's here in
10 service to our society, and I'm grateful that I got to
11 say all this to you, and that I got to speak my truth.

12 And I just -- I am really looking forward
13 to this being over, so that I can get back to healing
14 and spreading my message, spreading Jesse's message of
15 love.

16 Q. Miss Lewis, I cannot thank you enough for
17 sitting and being so brave on that chair today, and I
18 don't have any other questions of you.

19 A. And I want to thank you for representing us.

20 THE COURT: Mr. Reynal, do you have any
21 questions for Miss Lewis?

22 CROSS-EXAMINATION

23 BY MR. REYNAL:

24 Q. Good afternoon, Miss Lewis.

25 A. Good afternoon.

1 Q. I read your book, *Nurturing Healing Love*,
2 and I thought it was a beautiful book.

3 A. Thank you.

4 Q. And something that any parent who has lost a
5 child should read.

6 A. Thank you.

7 Q. I hope that you will use your power of
8 choice to see the good in the questions that I'm going
9 to ask you.

10 In your book you describe how, after
11 Jesse's murder by Adam Lanza, you went on a journey of
12 healing.

13 A. Yes.

14 Q. And even before you said that you had read a
15 book called, *You Can Heal Your Life*, by Louise Hay.

16 A. Yes.

17 Q. And that you educated both J.T. and Jesse in
18 their power to choose how they would react and view
19 life.

20 A. Yes.

21 Q. And that sometimes you'd say, "You know you
22 have the power to --"

23 And then Jesse would say, "Yeah, mom, I
24 know, choose, choose, choose."

25 A. Yes.

1 Q. In the aftermath of the shooting, there were
2 more than 500,000 letters of condolences that were sent
3 to Newtown.

4 A. Yes, and mostly by little kids.

5 Q. And drawings?

6 A. And drawings.

7 Q. Shortly after the shooting you participated
8 in an EMDR session?

9 A. Yes.

10 Q. And during that session you describe a
11 tunnel of light.

12 A. Should we explain what that is?

13 Q. Well, E.M.D.R. is something that Dr. Crouch
14 testified about?

15 A. Yes.

16 Q. And --

17 A. Okay.

18 Q. It is a process whereby there is bilateral
19 stimulation and visualization of bad memories.

20 A. Yes.

21 Q. And you describe seeing a tunnel of light.

22 A. I don't remember that. Can you read in my
23 book where it says that?

24 Q. Well, maybe this will remind you.

25 A. Okay.

1 Q. And if not we can go to the book.

2 A. Sure.

3 Q. But you described seeing the children who
4 had been murdered ascending into heaven.

5 A. Yes.

6 Q. And a dark figure.

7 A. Yes.

8 Q. And that dark figure was Adam Lanza.

9 A. Yes.

10 Q. And the therapist that was helping you asked
11 you what you wanted to do with him.

12 A. Yes.

13 Q. And you sent him up to heaven, too.

14 A. Yes.

15 Q. Later you spoke to the Bipartisan Task Force
16 on Gun Violence Prevention and Children Safety.

17 A. I don't remember that, but I'm sure I did.

18 Q. It was the -- sort of the first time you had
19 been able to introduce Jesse's message of choosing love
20 to the world.

21 A. Are you referring to the part in my book?

22 Q. Yes.

23 A. Okay. Yes.

24 Q. And you got a standing ovation.

25 A. Yes.

1 Q. You met President Obama?

2 A. Yes.

3 Q. He came to the funeral.

4 A. Um, no. No.

5 Q. Or you met him in Newtown right after?

6 A. Yes. Three days after. He was speaking in
7 Newtown.

8 Q. And you went to see him in Washington?

9 A. Yes.

10 Q. And then he gave a speech at Hartford
11 University? Do you recall?

12 A. Yes.

13 Q. And you met with him after the speech.

14 A. Yeah. In the hallway.

15 Q. And you told him about your message --

16 A. Yes.

17 Q. -- of choosing love.

18 A. Yes.

19 Q. He was very taken with the idea?

20 A. Yes.

21 Q. And he gave you a hug.

22 A. Yes.

23 Q. And he said that he would introduce you to
24 his sister --

25 A. Yes.

1 Q. -- who lived in Hawaii.

2 A. Yes.

3 Q. And you went and visited with her.

4 A. Yes.

5 Q. And she gave you tickets to go and meet the
6 Dalai Lama.

7 A. Yes.

8 Q. And you went to see the Dalai Lama with
9 several friends?

10 A. Yes.

11 Q. And were able to meet with him personally
12 afterwards.

13 A. Well, he walked by me and we had an
14 interaction, yes.

15 Q. And he hugged you.

16 A. He did.

17 Q. And that must have been very special.

18 A. It was.

19 Q. Since then, you've often spoken about
20 Jesse's story.

21 A. Yes.

22 Q. And you've said that, "Although Jesse's
23 death could have destroyed me, hope, love, forgiveness,
24 and faith have saved me."

25 A. Yes.

1 Q. You wrote, "On that day, the world became
2 one. On that day, the world chose love. I said, but we
3 have to keep that going through awareness and education.
4 Nurturing, healing, love. Getting that message to the
5 world is the reason Jesse was put on earth."

6 A. Yes.

7 Q. "He died for it."

8 A. Yes.

9 Q. Your book was published in late 2013, early
10 2014?

11 A. October 2013.

12 Q. Ten months after the shooting?

13 A. Yeah. It was about the first six months of
14 my healing process.

15 Q. Would you agree with me that, in the book,
16 you don't discuss Alex Jones or any kind of hoaxers?

17 A. Absolutely not.

18 Q. Absolutely not, you don't agree or you
19 don't --

20 A. No, no, no, I'm sorry. I did not.

21 Q. Before the controversy that arose from the
22 Megyn Kelly interview, had you taken time to watch
23 Alex's show?

24 A. No, I did not.

25 Q. Who brought to your attention what had

1 happened on the Megyn Kelly show and the subsequent Owen
2 Shroyer report?

3 A. Neil did.

4 Q. Have you chosen to watch the entirety of the
5 videos that have been presented in evidence here?

6 A. I have not.

7 Q. You would agree that it's our jury's job to
8 decide the case based on the facts in evidence.

9 A. Yes.

10 Q. You have spoken your truth today, and your,
11 I think, very honest belief that Alex from the very
12 beginning victimized your family and yourself.

13 A. Yes.

14 Q. Wouldn't watching the broadcast be the best
15 way to know whether that was the case or not?

16 A. I had seen enough.

17 MR. BALL: Objection, your honor. This
18 goes back to the thought it's already been ruled that he
19 has done that, so to ask that question assumes it
20 hasn't.

21 MR. REYNAL: May I respond?

22 THE COURT: Hang on.

23 So, it's not -- I guess your
24 object -- your -- all right. I am going to strike the
25 question and the answer, because they go to an issue

1 that's already been decided.

2 MR. REYNAL: May I be heard?

3 THE COURT: So, you can try and rephrase
4 it in some other way to get to whatever you're trying to
5 get to, but not that way.

6 BY MR. REYNAL:

7 Q. I believe you testified about a picture of
8 the Superbowl.

9 A. I did.

10 Q. With the names of the victims of Sandy Hook
11 written on top of the photograph of the children who
12 sang there.

13 A. Yes.

14 Q. Is your basis for testifying that InfoWars
15 pushed that picture that somebody told you that?

16 A. I know that InfoWars has given a platform to
17 the conspiracy theorists that say that Sandy Hook never
18 happened.

19 Q. I would agree with that.

20 But my question is, is your basis for
21 saying that InfoWars either displayed that photograph or
22 pushed that photograph somewhere, based on something
23 somebody told you?

24 A. No.

25 Q. Okay. Did you, yourself, see that picture

1 being pushed by -- on any kind of InfoWars broadcast?

2 A. No.

3 Q. The video we saw played earlier --

4 A. Which one?

5 Q. The video of Alex that was represented as
6 having been taken today.

7 A. Yes.

8 Q. Was just that clip given to you or did you
9 watch the entire broadcast?

10 A. I watched that clip.

11 Q. Okay. Did anybody tell you what was said
12 before or after that clip?

13 A. No.

14 Q. Who provided you with the clip?

15 A. My team pulled it up. My son pulled it up
16 and showed it to me.

17 Q. Was he the one who created the clip or did
18 somebody else create the clip?

19 A. I don't know. No, my son was not -- no, I
20 don't know who created the clip.

21 Q. Do you know who gave the clip to your son?

22 A. He found it on the internet.

23 Q. Oh, understood.

24 Let me ask you about Plaintiff's

25 Exhibit 131. I think it's in front of you.

1 A. Yes.

2 Q. And that is the email from Wolfgang Halbig?

3 A. Yes.

4 Q. That email is dated September 9th, 2019; is
5 that correct?

6 A. That's correct.

7 Q. Are you aware that, as of that date, it had
8 been several years since Wolfgang Halbig had been on the
9 InfoWars show or Alex's show?

10 A. No, I was not aware.

11 Q. And Plaintiff's Exhibit 128 was an
12 attachment to that email.

13 A. Yes.

14 Q. As you sit here today, do you know of any
15 way that InfoWars could have known in 2014 or 2015 when
16 Halbig was on the show that he would go this crazy?

17 MR. BALL: Objection, your honor.
18 Speculation.

19 THE COURT: Sustained.

20 BY MR. REYNAL:

21 Q. Lucy Richards --

22 A. I was going to say, I don't think they
23 checked his credentials.

24 MR. REYNAL: May I respond to that, Your
25 Honor? You sustained the objection.

1 THE COURT: I mean, you can -- you know
2 what lawyers can do. You can ask her another question,
3 you can make an argument to me about something. I'm
4 not --

5 MR. REYNAL: Very well.

6 THE COURT: -- telling you how to do this.

7 BY MR. REYNAL:

8 Q. Were you present for the testimony of Adan
9 Salazar by deposition?

10 A. Was I present, like in the room? Oh, yes,
11 yes.

12 Q. And so you saw that he testified that maybe
13 he could have done a better job, but they did look into
14 Wolfgang Halbig's credentials at the time.

15 A. I saw that he -- he did just a surface
16 scratch of looking into his credentials.

17 Q. Lucy Richards. She's the woman who left the
18 terrifying message that we heard.

19 A. Yes.

20 Q. She, thankfully, has never left a message
21 like that for you.

22 A. Correct.

23 Q. Lucy Richards has never worked for InfoWars,
24 has she?

25 A. She is a devout follower of InfoWars. I

1 don't know that she's ever worked for InfoWars. I don't
2 know.

3 Q. In fact, she's just a crazy lady, isn't she?

4 A. Seemingly so.

5 Q. And there are crazy people in the world,
6 aren't there?

7 A. That's correct.

8 Q. And sometimes they see things on television
9 or they hear things on the radio, and they do crazy
10 things.

11 A. Yes.

12 Q. You testified about Dan Bidondi.

13 A. Did I?

14 Q. I believe you were asked some questions
15 about Dan Bidondi coming to film a town hall meeting at
16 Newtown. Do you recall that?

17 A. Questions I was asked?

18 Q. Yes, ma'am.

19 A. I don't remember, I'm sorry. Can you
20 read --

21 Q. That's fair.

22 As you sit here today do you know the name
23 Dan Bidondi?

24 A. Yes.

25 Q. Okay. Have you ever had any personal

1 contact with him?

2 A. No. I know what you're talking about. The
3 mayor that would send out the emails, telling us to stay
4 home when they were in town.

5 Q. Yes.

6 A. Correct.

7 Q. You said I believe, or perhaps Ball said,
8 Dan Bidondi and others.

9 A. Yes.

10 Q. The term "and others."

11 A. Yes.

12 Q. There were no other InfoWars people in
13 Newtown, were there?

14 MR. BALL: Objection. Speculation.

15 THE WITNESS: I don't know.

16 THE COURT: I'm going to allow it.

17 BY MR. REYNAL:

18 Q. You testified that a man pulled into your
19 driveway on Christmas day.

20 A. Yes.

21 Q. What year was that?

22 A. I don't remember.

23 Q. And the man took some photographs, you went
24 outside, you said kind of, Can I help you?

25 A. Yes.

1 Q. And he drove off?

2 A. Yes.

3 Q. He scared you but you really don't know why
4 he was there.

5 A. He was there to photograph my property. He
6 took a picture of me standing on my porch.

7 Q. Are you still in therapy today?

8 A. Yes.

9 Q. How often do you attend therapy?

10 A. I travel a lot and I have -- I've maybe
11 had -- I've had many therapists and done many different
12 kind of therapies in the last ten years. So, I am
13 currently in therapy, the different kinds that I have,
14 several times a month.

15 Q. So you have different types of therapy on
16 different days.

17 A. I have different types of therapy, yes.

18 Q. Can you estimate for us how much you've
19 spent on therapy since the tragedy at Sandy Hook
20 Elementary School in 2012?

21 MR. BALL: Objection. Collateral source,
22 Your Honor.

23 THE COURT: Overruled.

24 If you know. If you don't know you can
25 always say that you don't know.

1 THE WITNESS: I don't know. I don't know.

2 I'm sorry, I don't know.

3 MR. REYNAL:

4 Q. Less than \$500,000?

5 A. Yes.

6 Q. Less than \$200,000?

7 A. Less than -- \$50,000? I don't know.

8 Q. The therapists that you are seeing now, how
9 much do they charge?

10 A. I think she charges -- I'm not -- \$150 an
11 hour.

12 Q. And -- and so about how much per month would
13 you say that you spend on therapy?

14 A. A couple hundred dollars.

15 Q. You're a published author?

16 A. I am.

17 Q. And I think you've written three books.

18 A. I have.

19 Q. A children's book and --

20 A. Before the tragedy.

21 Q. And then, since then, you've written two.

22 A. *Nurturing Healing Love* and *Choose Love*.

23 It's about the movement and about the program and the
24 history of that and how it can positively impact people.

25 That's the third book. Yes.

1 Q. You work at your foundation?

2 A. I do.

3 Q. And I think you have five or six employees?

4 A. Yes.

5 Q. You've made many media appearances?

6 A. Yes.

7 Q. Starting in 2013 and ongoing to the present
8 day?

9 A. Correct.

10 Q. You've appeared on CNN.

11 Yes?

12 A. Yes.

13 Q. Various talk shows?

14 A. Yes.

15 Q. You're also a motivational speaker.

16 A. I speak for the Choose Love Movement, I
17 speak to schools and at parent groups.

18 Q. You speak to private organizations, as well?

19 A. I have on a limited basis.

20 Q. If one navigates to the Choose Love Movement
21 website, one can find a place where one can make an
22 inquiry for a private event?

23 A. Yes.

24 Q. And it says you'll speak for two hours?

25 A. I'll speak for as long as you will let me

1 speak.

2 Q. And can you tell the Members of the Jury,
3 how much is the suggested honorarium for your speaking
4 engagement?

5 A. It may be \$5,000.

6 Q. Would ten be more accurate?

7 A. It could be ten. Five to ten.

8 Q. During this period that we've been
9 discussing from 2013 at least --

10 A. Can I clear something up? 100 percent of
11 the proceeds of all three of my books, as well as
12 100 percent of the proceeds of everything that I do,
13 including my speaking, go directly to the Choose Love
14 Movement. If an organization pays me, they do not write
15 a check to me, they write a check to the movement. I
16 just want to clear up that.

17 Q. The movement does -- the movement. Your
18 501(c)(3) nonprofit does employ you, as well.

19 A. I'm employed. I'm a human being, I have
20 expenses, I have to live. Yes.

21 Q. To my previous question, from 2013 or from
22 the day of the shooting until, let's say, this
23 litigation began, no one at InfoWars and certainly not
24 Alex Jones ever said your name?

25 A. I don't know that.

1 Q. Have you asked?

2 A. Have I asked InfoWars?

3 Q. Have you asked anyone whether your name was
4 ever mentioned?

5 A. I guess I feel like it has been in
6 association.

7 Q. And that's because you feel that, by
8 speaking about parents in general that is a reference to
9 you in particular.

10 A. It includes me, yeah. I feel like it does.

11 Q. InfoWars has never published your
12 photograph.

13 A. Thank you.

14 Q. InfoWars has never published your address.

15 THE COURT: Are these questions,
16 Mr. Reynal?

17 BY MR. REYNAL:

18 Q. Have they?

19 A. I don't know. Are you asking me or telling
20 me?

21 Q. I'm asking you.

22 A. Oh, I'm sorry. I don't know.

23 Q. And InfoWars has never directed anyone to
24 harass you; isn't that true?

25 A. I don't know. They've sent people to Sandy

1 Hook. Then they've definitely harassed people there.

2 Q. Well, in fairness, they sent --

3 A. That's my community. They don't know that I
4 was not going to be around.

5 Q. Well, the people, the people, the person,
6 Dan Bidondi, went to a meeting of -- that was set up to
7 hear a FOIA request for information regarding the Sandy
8 Hook shooting. True?

9 A. I don't know. But I did see him harass
10 people on the way out, and I know the people that he
11 harassed.

12 Q. Understood.

13 A. Yes.

14 Q. That was an open government meeting; true?

15 A. I don't know. I don't really know. I don't
16 know what FOIA stands for.

17 Q. Freedom of Information Act.

18 A. Okay.

19 Q. It was a meeting addressing freedom of
20 information requests made by Mr. Halbig; true?

21 A. I don't know. I don't know what the meeting
22 was about.

23 Q. Certainly a meeting like that it's fair to
24 have press at.

25 A. Yes.

1 MR. REYNAL: Pass the witness.

2 THE COURT: All right. Mr. Ball.

3 MR. BALL: Very briefly, Your Honor.

4 REDIRECT EXAMINATION

5 BY MR. BALL:

6 Q. Kevin Laprade, Will Turbitt, those are names
7 of people who were with Mr. Bidondi. Are you aware of
8 that?

9 A. Yes, I saw other people there. I wasn't
10 aware of their names.

11 Q. So, to say that Mr. Bidondi was the only
12 person who went to Newtown would not only be misleading,
13 but it would be a lie; right?

14 A. Yes.

15 Q. It wouldn't make a lot of sense to put that
16 image in your book, would it?

17 A. No.

18 Q. So, I assume that's why you didn't do it.

19 A. No. That's because it's about healing.

20 MR. BALL: Hopefully you can begin that
21 after today. Thank you.

22 THE COURT: Mr. Reynal.

23 RECROSS-EXAMINATION

24 BY MR. REYNAL:

25 Q. It's fair to say, Miss Lewis, that, other

1 than Mr. Bidondi, you don't know who all went to that
2 meeting.

3 A. That's correct.

4 Q. Would it be relevant to you, as you sit here
5 today, after having answered those questions from your
6 lawyer, to know whether or not Mr. Jones apologized
7 during that same broadcast?

8 MR. BALL: Objection, your honor.
9 Relevance and also scope of the --

10 THE COURT: Scope is sustained.
11 Sustained.

12 All right. Now it is the jury's time.

13 It's 2:47, we'll probably end up making
14 this our mid-afternoon break, as well, but let's do try
15 to get the questions, if there are any, to me relatively
16 quickly so that I can look at them.

17 Remember all of my previous instructions:
18 This is an independent opportunity, no conversation, no
19 research. All the same rules. You're excused.

20 *(Brief recess.)*

21 *(Discussion between court and counsel off the*
22 *record.)*

23 THE COURT: On the record.

24 We have gone through the questions
25 submitted by the jury, eliminated half of them, kept

1 half.

2 The ones that you know I'm going to ask,
3 any objections, Mr. Ball?

4 MR. BALL: None, Your Honor.

5 THE COURT: Any objections, Mr. Reynal?

6 MR. REYNAL: None.

7 THE COURT: All right. Then we were ready
8 for Miss Lewis and, Miss Matusek-Steele, we're ready for
9 the jury.

10 *(The following proceedings were held in*
11 *open court in the presence of the jury.)*

12 THE COURT: All right, you may be seated.

13 I think I forgot to give you the same
14 repetitive reminder with Mr. Heslin's questions, so I'll
15 do it now: If you don't hear your question, it's
16 because I made the decision that it wasn't appropriate
17 for some reason. So, you can direct your frustration at
18 me.

19 Now, Miss Lewis, I'm going to ask you a
20 number of questions and I'm going to ask you to respond
21 to them to the jury. And if you'll just listen
22 carefully and answer the question, I can't explain it,
23 so you just have to answer the question as it is. Okay?

24 THE WITNESS: Yes.

25 ///

1 EXAMINATION

2 THE COURT: How has Jesse's passing
3 affected your parenting of your other son, J.T.?

4 THE WITNESS: That's a good question.

5 It has impacted my parenting, obviously.
6 I think that when you have one son that's murdered, you
7 want to bubble wrap the other son so that they never
8 feel pain, and that's obviously impossible. And I think
9 that I've -- I've done that a bit with J.T., trying to
10 be overly solicitous and trying to keep him safe and --

11 THE COURT: How has Alex Jones and
12 InfoWars affected your parenting?

13 THE WITNESS: I think that question
14 relates to the first question. As a parent, it's your
15 responsibility to keep your kids safe, and I wasn't able
16 to do that with my first child and so I am so probably
17 overly zealous in trying to do that with J.T. and so
18 I've taken measures that might seem over the top to
19 some, but to me I don't want to fail my surviving son.

20 And I know consciously that I didn't fail
21 Jesse when he was murdered at Sandy Hook because he was
22 where he was supposed to be by law, but you -- you have
23 a little bit of guilt that you sent them to school that
24 morning. And so I think that it has definitely impacted
25 my parenting and it's negatively, I would say,

1 unfortunately, I think that he would agree. And but
2 it -- but, you know, I was doing the best that I could
3 with the skills and tools that I had at the time and I
4 continue to get more.

5 THE COURT: How many lives has the Choose
6 Love Movement touched and how has it made them better?

7 THE WITNESS: The Choose Love Movement has
8 impacted millions of lives all over the world. In fact,
9 our last conservative estimate was over three and a half
10 million children that have received this type of
11 essential life skills programming, this type of
12 programming that enable them to thoughtfully respond to
13 any situation, circumstance, or interaction by choosing
14 love.

15 And we have a powerful formula that we
16 teach and this formula leads you, it's a pathway to
17 flourishing and it starts with courage, courage to tell
18 the truth, courage to be present with whatever is
19 happening in your life, the courage to do the right
20 thing. Then gratitude is the next formula, and it's the
21 courage to be grateful even when things aren't going
22 your way. I try to live my life this way.

23 And then forgiveness. And it's the
24 courage to forgive even when the person who hurt you
25 isn't sorry, doesn't care, or may not even know. And

1 then compassion and action, which is the courage to step
2 outside of your own pain and suffering, even your own
3 business and distraction, to help other people. And
4 then the beautiful thing is, when you help other people,
5 that helps and heals yourself, and I have certainly felt
6 that. These are just some of the things that we teach
7 kids.

8 And this type of programming was priced
9 out of the market for my son. The school that he went
10 to, when I asked them about this type of programming,
11 they said they spent so much money on this type of
12 program that they couldn't afford to train the teachers
13 in this. And so I thought, wow, this would have saved
14 my son's life.

15 So, I created a program and I made it
16 free, because every child, actually every parent, every
17 grandparent, every human being should have access to
18 these essential life skills that are backed by science
19 and that we know can create a safer, more peaceful and
20 loving world.

21 THE COURT: Would you include Alex Jones
22 and his family in the Choose Love Movement if he was
23 inclined to join?

24 THE WITNESS: Absolutely. Absolutely.

25 THE COURT: Would you forgive Alex Jones

1 if he truly apologized and compensated monetarily and
2 stopped the propaganda on or off the InfoWars platform?

3 THE WITNESS: I'm so glad you asked that
4 question, whoever did. It's a great question.

5 And forgiveness is something that I've
6 learned so much about since the tragedy. And I didn't
7 know much about it before. And it's really instrumental
8 in my own personal healing and I think a lot of people
9 are going to learn about it today with me speaking about
10 it.

11 But I -- I actually -- I have said that I
12 forgive Alex. I've said that I forgive Adam Lanza. And
13 I feel compassion for him. And I forgive Alex.

14 And I feel compassion for you.

15 But forgiveness starts with a choice and
16 then it becomes a process. That doesn't mean that
17 everything goes away, that you make this decision to
18 forgive and then everything is okay. Forgiveness starts
19 with a choice: Choose love. It is choosing love.
20 Forgiving starts with a choice but then it becomes a
21 process.

22 And depending on who you are and your
23 situation and your story and your level of pain, it is
24 something that you might have to do every single day,
25 multiple times a day. And it's a way to let go of some

1 of the pain and to get your personal power back to
2 enable you to live your life. Forgiveness is a powerful
3 healing tool, but it's something that I have to work on
4 every day.

5 And it doesn't mean that you don't hold
6 the person that you're forgiving accountable. They're
7 still responsible for what they did. It has nothing to
8 do with accountability. You can -- this may be a bad
9 example, but if someone was raped, you could forgive
10 your rapist, but you would have to hold them
11 accountable, because if you didn't, then they would
12 continue doing that to other people. So, you have some
13 amount of responsibility in your forgiveness to continue
14 to hold somebody accountable. Because if you don't,
15 then they will continue.

16 THE COURT: Miss Lewis, thank you for your
17 time and your testimony. We all appreciate it. At this
18 time you can go back down to where you've been sitting.

19 THE WITNESS: Thank you.

20 THE COURT: And somebody from the
21 Plaintiffs' side, do you have another witness for the
22 jury?

23 MR. BANKSTON: Your Honor, Plaintiffs
24 rest.

25 THE COURT: Thank you very much.

1 Mr. Reynal, it is your turn to present
2 your case. Do you have witness for the jury?

3 MR. REYNAL: I have a motion I need to
4 make outside the presence of the jury, Your Honor.

5 THE COURT: All right. That shouldn't
6 take very long. Remember, all my instructions are all
7 still in place. You may head back to the jury spot.

8 *(Whereupon the jurors exit the courtroom*
9 *and the following proceedings were held in open court)*

10 THE COURT: You may be seated.

11 MR. REYNAL: May I approach, Your Honor?

12 THE COURT: You may.

13 Thank you.

14 MR. REYNAL: At this time Defendants would
15 present their motion for directed verdict.

16 THE COURT: Let's make sure the door is
17 shut.

18 Okay. Go ahead.

19 MR. REYNAL: At this time Defendants would
20 present their motion for directed verdict, we'll file
21 same with the court, but I just wanted to give Your
22 Honor a brief summary.

23 It is our position that Plaintiffs' IIED
24 claim fails as a matter of law. The evidence as adduced
25 from the witness stand shows that it is predicated upon

1 the statements made by Mr. Jones, as well as his
2 employees, on the air and, as such, it is duplicative of
3 the defamation claim and under Texas law shouldn't go
4 forward, either as to Miss Lewis or as to Mr. Heslin,
5 who also has a standalone defamation claim.

6 As for the defamation claim itself, we
7 believe that the evidence shows that the statements were
8 not -- on the Owen Shroyer broadcast were not
9 defamatory, and so we think Your Honor should reconsider
10 her decision.

11 We urge that reputation damages have not
12 been properly proven. In *Anderson vs. Durant*, a Texas
13 Supreme Court case, the Court wrote that, "Rumors within
14 a community are not enough," and "instead, the evidence
15 must show 'that people believe the statements and the
16 Plaintiff's reputation was actually affected.'"

17 As to Mr. Heslin, who has the only
18 reputation claim, we had no evidence of anybody who
19 denied him work or denied him credit or denied him
20 access to some sort of social organization. So, we
21 think those should be stricken.

22 We also would urge that the mental anguish
23 damages have not been properly proven.

24 THE COURT: All right, response.

25 MR. BANKSTON: Yes, first with regard to

1 the IIED claim, Defendants first advance a gap-filler
2 argument, meaning that the claim sounds in defamation,
3 it doesn't fill a gap in the law and can't be IIED.

4 First, we would point out that this is
5 already law of the case. Defendants have appealed this
6 on both of the claims, Lewis and Heslin. Texas Supreme
7 Court has rejected that appeal, Texas Court of Appeals
8 says they are not duplicative, it is not a gap-filler
9 issue.

10 Even if there wasn't already law of the
11 case, meaning that Mr. Heslin's claim for defamation
12 clearly sounds in statements about himself, while the
13 two Plaintiffs' IIED claims sounds in statements
14 regarding the circumstance of their child's death.

15 Those are -- there are statements in which
16 Mr. Jones made, for instance, in which he did not claim
17 that children didn't die. Instead, he claimed that the
18 children were murdered as part of a two-year pre-planned
19 CIA plot. That does not actually affect their
20 reputation whatsoever, does not even accuse them of
21 anything. But it is, nonetheless, intentional
22 infliction of emotional distress. That is also law of
23 the case.

24 With regard to reputational damages, the
25 simple evidence alone that Mr. Heslin testified that an

1 individual, while yelling out "Alex Jones" and
2 "InfoWars" firing a firearm near his home is clearly
3 legally sufficient on its own to achieve reputational
4 damage. There's been plenty of testimony about people
5 in the community who had negative thoughts about these
6 parents, and him in particular, and Mr. Heslin in
7 particular. And so, for that reason, the reputational
8 falls.

9 As far as the mental anguish damage, I
10 don't know a better way you can have legally sufficient
11 evidence than by having two separate psychologists, a
12 psychologist and a psychiatrist, one who has a formal
13 diagnosis and who related to these events, as well as
14 the personal testimony of the plaintiffs about the
15 torment in their lives.

16 As such, we think the motion for directed
17 verdict is frivolous.

18 THE COURT: Any replay, Mr. Reynal.

19 MR. REYNAL: No, Your Honor.

20 THE COURT: All right. The motion for
21 directed verdict is denied.

22 Any other motions we need to take up
23 outside the presence of the jury?

24 MR. REYNAL: I have received a copy --

25 THE COURT: I couldn't hear. You did

1 what?

2 MR. REYNAL: I don't have any other
3 motions, Your Honor, but I have a copy of the full clip
4 to play for the jury of Mr. Jones' broadcast today. I
5 have two versions, one of the versions has some remarks
6 about the attorneys as well as the Court, and I didn't
7 know if Your Honor wanted me to play that clip or one
8 that has been edited to take that out.

9 MR. BANKSTON: Our response is that I
10 think this is being offered for optional completeness?
11 I'm not sure.

12 THE COURT: I'm not sure, either.

13 MR. BANKSTON: Exactly. So, let me --

14 MR. REYNAL: It is, Your Honor.

15 MR. BANKSTON: Okay. Then if it is for
16 optional completeness, then the rule of optional
17 completeness requires them to identify a specific
18 statement made within the recorded part that was played
19 to the jury, while also identifying a specific -- and
20 also identifying how that statement, existing on its
21 own, could be fundamentally misleading to the jury.

22 Then they must identify a specific
23 statement in the portion that they would like to play
24 that is necessary for the jury to have -- to properly
25 understand what just happened; otherwise, they will be

1 misled.

2 I have -- what I have heard is, basically,
3 that after calling Mr. Heslin mentally challenged and
4 autistic and claiming that his ex-wife and all of us
5 lawyers are exploiting him, that then they want to play
6 an apology, or some other things that Mr. Jones says
7 that they think will be good for them. That is not a
8 way in which you actually clear up any fundamental
9 misleading bit in that video.

10 So, for optional completeness I don't see
11 how it comes in.

12 MR. REYNAL: Your Honor, the argument
13 that's been made is that Mr. Jones continues on his show
14 to deny that the plaintiffs are real, to say that
15 they're actors, that they're some kind of a CIA plot.
16 This seems to be a big part of the Plaintiffs'
17 presentation, and it's just not true. And this clip
18 shows, he says, these are real people, I've been sitting
19 next to them, I'm sorry for what I did, you know. And
20 in that sense they're -- their portrayal of it is
21 misleading.

22 THE COURT: So, I didn't actually hear any
23 of that from Mr. Ball, so that's not their portrayal. I
24 heard some testimony from Miss Lewis about how she feels
25 about it. Again, I don't think that constitutes a

1 portrayal.

2 I think -- do you have -- let me put it
3 this way, I believe that Mr. Bankston is correct how he
4 describes the rule of optional completeness. Do you
5 have an argument to make for why, whatever portion of
6 this video you think needs to be played, is required for
7 the jury to not be confused by the portion they heard
8 earlier today?

9 MR. REYNAL: It's the argument I already
10 made, Your Honor.

11 THE COURT: Okay.

12 MR. BANKSTON: And, Your Honor, I would
13 just reply to that that the idea that to say that
14 they're not -- like, if he wants to play it so that he
15 can show that Mr. Jones believes that they're real,
16 literally said that in the video that we just played,
17 shows --

18 THE COURT: Right, I did hear that, as
19 well. Also the claim that he's been sitting next to
20 them all week, I heard that, also.

21 I have a hard time imagining, and I have
22 not watched it, that any clip that includes a
23 conversation about what's happening in court this week
24 can be in any way helpful to the jury in their job. I
25 have certainly --

1 Can you please sit down, Mr. Jones. It is
2 not your turn to talk. I will happily allow Mr. Reynal
3 a minute to hear all of your suggestions if you and he
4 think that is necessary, but you have to wait.

5 I haven't watched any of it, so I don't
6 know what it says. If you want to send it to me and
7 have me watch it on a break, I will do that. But there
8 are a number of people who have been writing to me and
9 telling me what Mr. Jones is saying every day, I don't
10 know if they're accurate or not in their descriptions,
11 I'm not otherwise going to find out. So, I will only
12 see this if you send it to me and ask me to look at it.

13 Would you like to confer with your client?
14 I think he wants you to say something else.

15 MR. REYNAL: We would simply re-urge that
16 it's confusing for the jury because the clip leaves out
17 the part where Mr. Jones says that he certainly believes
18 that Miss Lewis is real.

19 THE COURT: All right. So, if you want to
20 send me that part, that may, in fact, meet the
21 requirements of the rule of optional completeness. And
22 send it to my staff attorney and she'll review it and
23 then I'll review it on a break and I'll let you know.

24 MR. REYNAL: Thank you.

25 THE COURT: Anything else before we bring

1 the jury back?

2 MR. REYNAL: No, Your Honor.

3 THE COURT: Anything from your side?

4 MR. BANKSTON: Not our side.

5 THE COURT: All right. We're ready to
6 have the jury back.

7 *(The following proceedings were held*
8 *in open court in the presence of the jury.)*

9 THE COURT: All right, you may all be
10 seated.

11 All right. Mr. Reynal, did you have a
12 witness for the jury?

13 MR. REYNAL: I do. The defense would call
14 Alex E. Jones.

15 THE COURT: All right, Mr. Jones come
16 stand in front of me, please.

17 Raise your right hand.

18 Do you solemnly swear or affirm under
19 penalty of perjury that the testimony you are about to
20 give shall be the truth, the whole truth, and nothing
21 but the truth?

22 THE WITNESS: I do.

23 THE COURT: Thank you. Come have a seat
24 in the witness chair. There is water and glasses. You
25 have pretty good volume, I don't think you'll need to

1 lean into the microphone.

2 I see that you have a document with you.
3 I don't know if you were here when I explained to a
4 prior witness who brought documents with them that you
5 can't look at any document for any reason while you're
6 testifying until and unless one of the lawyers or myself
7 instruct you to do so. So, I'm going to ask you to just
8 give it back to Mr. Reynal until he may think you need
9 it. Okay.

10 Did you understand all that?

11 THE WITNESS: I did, yes.

12 THE COURT: Okay. While you testify it is
13 not a conversation, it is a question and answer. So the
14 instructions are to let the lawyers completely finish
15 asking their questions before you begin your answer, to
16 listen to the question and answer what is asked. So,
17 you can always say that you don't know or you don't
18 understand, those things are true. Answer out loud in
19 words and not head shakes and the like.

20 I think that's all my instructions. I say
21 it so many times sometimes I forget some. Do you
22 understand them?

23 THE WITNESS: I do.

24 THE COURT: All right. You may begin,
25 Mr. Reynal.

1 ALEX E. JONES,

2 Having been duly sworn, testified as follows:

3 DIRECT EXAMINATION

4 BY MR. REYNAL:

5 Q. Alex, would you please introduce yourself to
6 the Ladies and Gentlemen of the Jury.

7 A. Hi, I'm Alex Jones.

8 Q. How are you feeling today, Alex?

9 A. I actually feel good because I get a chance
10 to, for the first time, say what's really going on
11 instead of the corporate media and high-power law firms
12 manipulating what I actually did.

13 Q. I want to start by kind of letting the jury
14 know a little bit about your youth and where you grew
15 up, so they can get to know you better. Is that okay?

16 A. Okay.

17 And, you know, before we do that I just
18 want to say that on the record, because I've said it
19 many times, I apologize --

20 MR. BANKSTON: Objection. Nonresponsive.

21 THE COURT: Sustained.

22 So, Mr. Jones, one of the instructions I
23 just gave you is that this is not a conversation, it's a
24 question and answer.

25 THE WITNESS: So, she got to monolog but

1 not me. I got it.

2 THE COURT: So, you have to only answer
3 questions that are asked of you. Mr. Reynal will ask
4 you, I'm certain, all the questions you want. But you
5 have to wait for the question.

6 You may proceed.

7 BY MR. REYNAL:

8 Q. Mr. Jones, have you been wanting to
9 apologize to the plaintiffs in this case for a long
10 time?

11 A. Yes.

12 Q. And what would you like to say to them?

13 A. That I never intentionally tried to hurt
14 you. I never even said your name until this case came
15 to court. I didn't even really know who you were until
16 a couple of years ago, when all this started up. The
17 internet, a lot of questions, I had questions, and over
18 that six-, seven-year period before I got sued, or
19 six-year period, it's clear, you can see the whole
20 progression of us, the few times we covered it, trying
21 to actually find out what happened.

22 And that's really been my big frustration
23 is that the people have said that I am personally trying
24 to hurt them or coming after them when I question every
25 big event and a lot of times it turns out that we've not

1 been told the truth.

2 And a perfect example is today, where they
3 play a one-minute clip and I had just done that this
4 morning and I knew that I said I believe that Scarlett
5 Lewis is real and she's a really, you know, nice person
6 and she's really a sweet person, and I went through and
7 talked about her ex-husband, too. And then I said I
8 believe they're being fed and manipulated --

9 MR. BANKSTON: Your Honor, objection.
10 Nonresponsive.

11 THE COURT: Sustained.

12 THE WITNESS: -- this is a perfect -- this
13 is a perfect --

14 THE COURT: When you hear "sustained" you
15 have to stop talking.

16 THE WITNESS: Okay.

17 BY MR. REYNAL:

18 Q. Do you feel that the video clip was a fair
19 representation of what you meant to convey?

20 A. No, in the front and back -- no.

21 Q. Okay. And why wasn't it fair?

22 A. Because it had the front and back cut off of
23 it to totally misrepresent the apology at the end and at
24 the first where I said I believe she's a real person and
25 lost her child. So someone edited that and then showed

1 it to her and then they brought it in here and played it
2 and show it to you. And I think you should ask to see
3 the full segment.

4 Q. All right. So now that we've got that out
5 of the way, I want to ask you some questions about where
6 you grew up and how you came to have your business.

7 Can you let us know where are you from in
8 Texas originally?

9 A. I first was born in Dallas, then I grew up
10 in a suburb of Dallas called Rockwall.

11 Q. And how old were you when you moved to
12 Austin?

13 A. Sixteen.

14 Q. And can you tell the Members of the Jury why
15 your family relocated to Austin?

16 A. My dad sold his dental practice and there
17 was too much crime in Dallas and Austin was a safer
18 city.

19 Q. Were you still in high school when you moved
20 here?

21 A. Yes.

22 Q. Did you graduate from high school?

23 A. Yes.

24 Q. Here in Austin?

25 A. Yes.

1 Q. And did you go to college?

2 A. No. I mean, I went a few years to community
3 college.

4 Q. Are you married?

5 A. Yes.

6 Q. How many children do you have?

7 A. I have four.

8 Q. Can you tell us their names and their ages?

9 A. I've got -- I need to say their names?

10 Q. You don't have to if you don't want to,
11 their ages.

12 A. Sure, there's Rex, who is 19; Charlotte, who
13 is 18; Georgia, who is 14; and Veronica, who is five.

14 Q. And is your wife present in the courtroom
15 today?

16 A. She is. She's right there.

17 Q. And what's her name?

18 A. Erica.

19 Q. I want to ask you some questions about how
20 you got started up in media with your radio show. Okay?
21 How old were you when you first felt that you wanted to
22 be on the air, that you wanted to work in media?

23 A. When I was about 17 I really liked listening
24 to talk radio and I had grown up with my dad on the road
25 trips listening to like Larry King when he was still on

1 radio and I really liked Larry King on radio and then
2 also on CNN. And I also liked Howard Stern, thought he
3 was funny, and I really wanted to be a talk show host.

4 Q. And how did you take that desire to be a
5 talk show host and those early influences, how did you
6 translate that into action; how did you first get on the
7 air?

8 A. I had been on out of high school about a
9 year and a half, two years, and I went down and took
10 classes at the Access TV station in Austin, one of the
11 first places to ever have Access TV, they have one of
12 the best systems. So, they had a lot of equipment and a
13 lot of studio space. A lot of it was old, antiquated,
14 but it was still very useful. So, I became self taught
15 with that equipment, and in about '94, '95, '95 started
16 doing my own little call-in shows and then those became
17 pretty popular quickly.

18 And so, the phone rang and a D.J. by the
19 name of Shark Man, who had a national show that was
20 managing the local station, 98.9, said, I think you
21 should come in and do like a three-hour radio show this
22 Saturday and see what people think. And they had Howard
23 Stern on their station, they had G. Gordon Liddy, a
24 bunch of other big hosts, they had some other big local
25 hosts who couldn't light the phone lines up and the

1 first time I went in they got a hundred calls, first
2 time.

3 Q. How old were you?

4 A. I think I was 21, 22 at that time.

5 Q. What was the format of your early shows on
6 Austin Public Access TV?

7 A. It wasn't as conspiratorial or political,
8 there was some of that because there was enough people
9 doing those shows and I already knew about that
10 information. But it was just all over the map, it was
11 just really call-in shows, different topics. Did
12 variety shows, like carve pumpkins on TV on Halloween
13 and, you know, have a guy come in with his pet monkey
14 and dance around. Just fun stuff. Because I also liked
15 Johnny Carson growing up.

16 Q. Did people like your show?

17 A. They did.

18 Q. And did you -- did your show, I mean, that
19 sounds like -- almost like a Wayne's World kind of
20 thing.

21 A. I think Wayne's World is a good way to
22 describe it.

23 Q. And did it win any accolades?

24 A. It did. It won Best of Austin a few times
25 in the newspaper and pretty much started getting written

1 about and even national coverage in about two years.

2 Q. Really. And so, tell us, in those -- you
3 told us already about Larry King and about Howard Stern.
4 Who would you say influenced you artistically in the
5 format and how you did your show then and became the man
6 you are today.

7 A. I mean, really, I listened to Larry King a
8 lot because my dad listened to him on the radio a lot
9 when I was -- from the time I was like six or seven I
10 listened to Larry King, and then I would watch him a lot
11 of nights at home in junior high and high school. So, I
12 would say more than anybody Larry King.

13 Q. Did there come a time when, because of your
14 success and having won this listener's choice award,
15 viewers choice award, that you were able to be
16 syndicated?

17 A. Well, I won a couple of those, I don't think
18 the syndication folks were even paying attention to
19 that. I built the studio in a bedroom in my house
20 because they wouldn't put the equipment in at the local
21 station, where I had, you know, top ratings, to
22 syndicate it. And so, I went home, got the equipment,
23 had an engineer come set it up and then called a
24 syndication outfit and got a sponsor and I paid to put
25 it on the satellite. And then I got about probably 60,

1 70 affiliates in about a month. It went up to several
2 hundred affiliates after that.

3 Q. Can you describe for us what the setup was
4 like, was it in a spare bedroom?

5 A. It was.

6 Q. And what kind of furniture was in there?

7 A. It was a simple wooden desk and a microphone
8 and a little mixer and then a chair if I had a guest.

9 Q. And what is syndication, for those of us
10 that don't know?

11 A. Instead of being on one station it goes up,
12 at that time it was satellite, now it's on the internet,
13 and then it's beamed back down and other stations can
14 pick it up.

15 Q. So, you said you were syndicated on how many
16 radio stations?

17 A. It fluctuated between 30 or 40 at first, and
18 as much as over 200.

19 I would say things that were politically
20 not popular to talk radio, more left-wing things like
21 being anti war or things like that and I would lose a
22 bunch of stations, then I would gain more stations. But
23 talk radio was mainly conservative.

24 And so when 9/11 came around I had
25 questions. We lost 70 percent of our affiliates in one

1 month because I didn't want to, you know, attack all
2 these foreign countries. But I still stood steadfast
3 and had that message. So I got real popular with the
4 left wing, but I wasn't trying to be left wing, I was
5 trying to follow the right thing, even though it made me
6 lose most my radio stations.

7 Which is the issue of how I do what I
8 think's right, sometimes I'm wrong, I've been more right
9 than wrong; but I don't do it for the monetary thing, I
10 do it to tell the truth or try to tell the truth and
11 then the monetary comes with that because people can
12 tell, this guy is not reading off a script. And with
13 the that comes its own issues.

14 But I'm not lying like the corporate media
15 on purpose, that's the big difference.

16 Q. And so, let's focus in on this early period.
17 What year did you get syndicated?

18 A. I syndicated myself in 1998.

19 Q. And at that time did you already have the
20 show name the InfoWars?

21 A. Yes -- no, no. It wasn't never called
22 InfoWars, it was just the Alex Jones Show. Because you
23 have to call the show your name, because that's how they
24 do it with the rating that were written in on the little
25 diaries. So, to be on radio you had to say the name of

1 the show coming in and out. Just like TV for Nielsen
2 ratings. So it was the Alex Jones Show.

3 Q. Tell us about InfoWars. How did the name
4 InfoWars come to be and how did that business start?

5 A. Vic Freeland, who was an Air Force veteran
6 who worked in Air Force intelligence in Vietnam, he was
7 the deputy fire chief in Austin and he was a listener
8 and he had done some talk radio interviews, he had been
9 on some syndicated shows because of magazine articles he
10 had written. And he came to come of the events and he
11 said, listen, you know, you're really involved in an
12 information war. And because all information is
13 propaganda, whether it's true or not, it's called
14 information war. And so you ought to try to get that
15 URL.

16 And he had a big old laptop, he said, look
17 it's available. Do you want InfoWars.com? And so Vic
18 Freeland got the site. He even then in his spare time,
19 because he was still working with the fire department
20 then, he built the basic site and stuff, then helped
21 find me a volunteer, whatever, at first we didn't really
22 have any money, to then start updating the site a little
23 every day. And that was in 1997.

24 So, InfoWars came from an Air Force
25 intelligence term.

1 Q. So, you had the Alex Jones Show that was
2 being broadcast, then you also had InfoWars at the same
3 time.

4 A. Yes, I had a radio show -- at the time I was
5 doing a local radio show and then I was doing the
6 syndicated one out of my house, and then I had a website
7 that I could post articles on, or links to, to say,
8 look, this is on the site, go check it out on air. So
9 it was kind of the way to make radio almost like TV
10 because the internet was starting to become more
11 effective and more -- where it actually worked, the word
12 is not effective, so you could actually post stuff and
13 do things. And so we could put things on there and show
14 people what we were talking about.

15 Q. Did you also start making, in order to
16 support InfoWars, did you also start making
17 documentaries?

18 A. I did start making documentaries. In 1997 I
19 made my first documentary, "America Destroyed By Design"
20 about the great reset that was coming and the different
21 UN documents that were in it. And I made more than 25
22 more films after that.

23 Q. Why make the films?

24 A. Most talk show hosts would sell a coffee cup
25 or a newsletter to fund themselves, and I wanted to

1 build a larger news organization because I wanted to do
2 more, I wanted to make documentaries, so I went out and
3 made documentaries and used the money from that to make
4 more documentaries. Because that way you could show
5 people what it was you were talking about in a format
6 before there was really the internet.

7 Because even though the internet was
8 around it was mainly text and pictures in '96, you know,
9 '97, '8, '9, documentaries on VHS and then DVD was, you
10 know, the way people interface with that.

11 Q. And at the time what was your main topic of
12 interest that you wanted to explore through your
13 documentaries, as well as through your radio show and
14 your website?

15 A. The plan to cut off U.S. energy reserves
16 that we're now experiencing, the plan to cut off all
17 cold power generation and gas, and the forced move onto
18 renewables, but it was in the documents, they didn't
19 plan to even have those. It was a post-industrial
20 program called Agenda 21 that George Herbert Walker Bush
21 signed onto in Rio de Janeiro in 1992.

22 And I read the plan and it said, we're
23 building a post-industrial world and we're going to have
24 the controlled demolition of civilization to force
25 depopulation. And now that's mainline news. Bill Maher

1 called for depopulation last Friday night.

2 Q. In addition to your documentaries, are you
3 also an author?

4 A. I am, yes.

5 Q. How many books have you written?

6 A. I've written two and contributed to more
7 than 20.

8 Q. We'll talk about your latest book later.
9 Let's move forward a little bit. At -- in 2001, what if
10 anything happened with you and your program and YouTube?

11 A. Say that again, please.

12 Q. Did you have a series of videos that were
13 very successful on YouTube? In the early 2000s.

14 A. Before YouTube came around in I think 2004,
15 and then it was out of some guy's garage in San
16 Francisco, got bought by Google around that time, we
17 were actually putting out videos ourselves that we were
18 streaming ourselves but it became too expensive so we
19 had to stop. We were doing that by 2000, 2001.

20 And these were all the technical things,
21 but then Google video came around and we had -- we had
22 videos on there with, you know, millions of people that
23 watched them and we were just putting it out for free,
24 and it was -- it was very popular with the left, because
25 it was us tracking and protesting the KKK, it was us

1 exposing police brutality and things like that. And I
2 wasn't trying to be left wing, I just thought those were
3 really important topics.

4 So, I got really popular with the left
5 wing then, and they went and had me speak at San
6 Francisco, New York, and I got big awards by the big,
7 you know, liberal democrat channels.

8 Q. Let me ask you about that part, because
9 that's an aspect of your work and who you are that you
10 cultivate which is different from in the studio.

11 From the very beginning did you believe it
12 was important to go to demonstrations, to talk to the
13 people on the street, to be part of protests?

14 A. Absolutely.

15 Q. And how did that play into what you were
16 trying to do at InfoWars?

17 A. Well, InfoWars is a radio show on TV. I
18 mean, that's really what Oprah Winfrey is, too, I mean,
19 that's -- it all goes back to radio, when that started a
20 hundred years ago or a little bit more now. And so
21 that's a separate thing, a talk show with opinions and
22 people debating are like "The View," they're not fact
23 checking, they're giving their opinions.

24 When I'm on the radio show most of the
25 times I'm a pundit, giving my opinions. Everybody on

1 talk radio knows that. We play devil's advocate, we
2 look at both sides. I don't do that very often now
3 because people can edit tapes and hurt you bad. And I
4 would say, well, let's look at this, they're saying
5 this, and they believe that. And now let's look at
6 this. And as -- later as I realized my show had a lot
7 more power than I thought, I realized, well, even if I'm
8 not the one editing these tapes, I have to be more
9 careful because there's bad guys out there that will do
10 it.

11 But the films I'm proud of, we never put
12 any films out about Sandy Hook, never had any products
13 about Sandy Hook, the films we would try to really vet
14 and do more journalistic research into and fact check
15 and interview renowned people. I mean, I interviewed
16 like former U.S. attorney generals, members of Congress
17 and former chairman of the joint chiefs of staff. I
18 mean, that's where we could go with these films, top
19 economists, just really big names for these films. And
20 they were very, very popular. So, that's where I've
21 been journalistic and done a good job.

22 I guess, with the age of the internet,
23 people grabbing clips out of talk radio or talk TV and
24 mixing it together, I can see how it can, you know,
25 cause problems. That's why I've admitted that I've made

1 a lot of mistakes. But none of it was done from some
2 master plan deal, that was done from a bedroom in my
3 house.

4 MR. BANKSTON: Objection, nonresponsive.

5 THE COURT: Sustain.

6 BY MR. REYNAL:

7 Q. So, one of the things I notice about you is
8 that you have a very distinctive voice. Very deep, sort
9 of gravelly voice. Did your voice always sound that
10 way?

11 A. No.

12 Q. What happened to your voice, why does it
13 sound the way it does?

14 A. Well, I remember the two demonstrations
15 where I finally wrecked it, and one was about I guess
16 about 12, 13 years ago. There was actually film of
17 it --

18 MR. BANKSTON: Your Honor objection.
19 Relevance why his voice is changed.

20 THE COURT: Do you have some way to tie
21 this to the damages portion of this trial?

22 Uh-huh.

23 THE WITNESS: I thought you were talking
24 to me.

25 THE COURT: No, I'll address you if I'm

1 talking to you.

2 MR. REYNAL: This is so that the jury can
3 understand who my client is and properly assess his
4 credibility, his demeanor.

5 THE COURT: Sustain.

6 BY MR. REYNAL:

7 Q. Let me ask you directly about InfoWars as
8 we're coming into the period where Sandy Hook occurs.
9 Okay?

10 A. Yes.

11 Q. About how many employees did you have circa
12 2012?

13 A. I would say about 45, 50.

14 Q. And where were you broadcasting from?

15 A. What year?

16 Q. 2012.

17 A. Oh, I was broadcasting from offices.
18 Studio.

19 Q. In terms of size, how does that compare to,
20 for example, the *New York Times* in terms of how many
21 employees?

22 MR. BANKSTON: Objection. Speculation. I
23 don't believe this witness has any personal knowledge
24 about the *New York Times*.

25 THE COURT: So, you can only answer the

1 question if you have actual knowledge about how many
2 employees the *New York Times* has. Otherwise, you have
3 to say "I don't know."

4 BY MR. REYNAL:

5 Q. So, as a member of the media, are you
6 generally familiar with the different media
7 organizations that are in the industry?

8 A. Yes.

9 Q. And based on that knowledge of the industry,
10 can you tell us size-wise how your organization compares
11 to the *New York Times* or to CNN?

12 A. It's between one one-hundredth and
13 one-twentieth the size of those different organizations
14 if you're counting for employees and bureaucracy and the
15 number of offices and the things they do.

16 Q. So, I want to ask you some questions about
17 the different formats of the different shows that
18 InfoWars broadcasts. Can you tell us what the sort of
19 different segments are that would appear on a given day
20 at InfoWars circa 2012?

21 A. There was my four-hour radio show that, in
22 2012, was just a webcam on me for people that wanted to
23 watch it online. And then it was just -- it was me and
24 the desk with a camera in 2012. And then, I mean, that
25 was it basically.

1 Q. At some point did you all begin to have
2 additional segments besides just you doing your radio
3 show and answering callers?

4 A. Well, yes. I mean, that's -- now I
5 understand what your first question was, what was the
6 different types of media we were doing.

7 Q. Yeah.

8 A. There was the syndicated radio show, that
9 was also had a digital component, digital video online,
10 and then there was documentary making, and that's when I
11 had ten or so people working on with me, and then I
12 started to develop reporters and people to go out and
13 actually cover like live events and protests and things
14 that were going on.

15 And then we also did everything in-house,
16 so we had our own shipping department to be able to ship
17 out, you know, books and films. Not just my books and
18 films, but a lot of other authors' books and films, we
19 would interview those authors. And so that's what we
20 were doing back then.

21 Q. Now, your radio show, was it purely a
22 call-in show? Or did you also go sort of on rants about
23 different issues that you were seeing?

24 A. Yes, we would have a lot of calls, sometimes
25 the whole show would be calls, sometimes it would be all

1 guests. Sometimes I would just decide that I had so
2 much news that I was going to just cover up to a hundred
3 stories on there and just look at them, the audience
4 knows, whether it's BBC or whether it's an InfoWars
5 story or whatever it is, they can choose, they can go
6 look it up for themselves, we're just covering what's in
7 there.

8 And so we just BAM, BAM, BAM, the same way
9 today, like Pelosi is in Taiwan, what do you think of
10 it, do you think there's going to be a war, the Chinese
11 are threatening war. Oh, look, Biden fell down again.
12 Oh, look, they found another trailer full of 50 dead
13 people in Texas, this is horrible, we got to do
14 something about this. And it's just coming up next,
15 it's really simple, I got a stack of news, we're going
16 to play a video clip of Bill Maher saying we need to
17 depopulate the human population. Let's take calls.
18 What do you think about Bill Maher saying we should get
19 rid of the majority of people? What is going to do
20 that? Who is going to do the killing? I think this is
21 wrong, I think it's dangerous, I think it sounds like
22 Hitler. I mean, that's what we do.

23 Q. And how did -- at the time, 2012, how did
24 you you all source the -- or how did you source the
25 stories that you wanted to cover during that segment of

1 your talk radio or --

2 A. 95 percent of what we were covering was
3 mainstream news, going, look, they're saying this, do
4 you believe it. Or what do you make of this. I mean,
5 it's that kind of thing. Is that -- we would simply do
6 what talk radio does, that's what talk radio does,
7 that's what Larry King did, is stack of news articles,
8 talk about what's going on, what people are saying, ask
9 callers, what do you think of that, do you buy that,
10 what do you think is going to happen next. Are there
11 really WMDs in Iraq or are they lying about it?

12 And then the talk show host make their
13 predictions about what they think and then the talk
14 radio listeners basically keep note and see who is the
15 most accurate and it becomes a big game to see who has
16 made the best predictions and things like that.

17 And so, that kind of lends itself, too, to
18 the very nature of a soap box, is people speculating.
19 That's the nature of people going to a park and standing
20 up in Speakers Corner in London for 600 years and giving
21 their opinion. That's what free speech is.

22 Q. Now, please tell the Members of the Jury,
23 has your method, where you get your stories, has that
24 changed over the years from 2012 until today?

25 A. No, it's not really changed. I mean, we

1 have clips from the news, where it's like, here is a
2 clip of this person saying this, and we always try to
3 actually play it in context, most of our clips are about
4 two minutes long, so they're not little deceptive clips,
5 we want to show what somebody actually said.

6 And we'll just play a clip, give our
7 opinion and ask callers what they think about it. Or
8 again we will say, should Pelosi go to Taiwan, the
9 Chinese are threatening war. And I said yesterday, I
10 said, I don't really like Pelosi, I don't want a war
11 with China, but I think that it's good she's going
12 because we should stand up for ourselves and not be
13 pushed around. And then we take calls and say what do
14 you think? I think you're wrong, we shouldn't go over
15 there; I think you're right. It's really that simple.

16 Q. Do you also -- did you then and do you now
17 also host debates?

18 A. We do.

19 Q. How do you decide to host a debate and who
20 are going to be the debaters?

21 A. Any issue that is being contested that
22 people think is interesting, we had a Sandy Hook debate
23 where we got a newspaper reporter on who said he thought
24 that it really happened, and we had like a professor, I
25 forget exactly who on, who thought there were some

1 questions. And that's the type of thing that we did.

2 I can understand then that people again
3 take clips out of that and move that around and that it
4 can cause problems, and that's why now, I mean I can say
5 I'm more timid, even though they have the state police
6 questions Uvalde in Texas and even though they stood
7 down for 77 minutes, I think it happened, but I'm just
8 going, whoa, I'm going to leave this alone as much as
9 possible just because they'll take what I've said out of
10 context.

11 But my listeners are now mad at me because
12 I'm not covering it when -- I mean, something went on,
13 77 minutes and the kids are begging for help and the
14 police just stand there and the state police in Texas
15 say that -- the head of the state police said, we don't
16 know the truth. And it's because of things like that
17 that people just get completely blown away and confused
18 by what's going on.

19 But now I realize that those are such
20 touchy subjects that I don't touch it with a ten-foot
21 pole.

22 Q. And it's not a result of this case?

23 A. You know, it's a result of a lot of stuff.
24 Like, in the past I would have gotten in a car and
25 driven down there, and I think that's what journalists

1 should do. But we didn't go down there, because I don't
2 want to be associated with the corporate media and the
3 lawyers and the people that swarm around these mass
4 shootings. I don't want to be like them.

5 So, they've accused me of being Mr. Mass
6 Shooting and all this stuff with Sandy Hook when I've
7 covered less than one-tenth of one percent over the
8 years, and so, I don't want to be like them, so we
9 didn't send reporters to Uvalde. And the American
10 people can figure out what's going on, but I'm not going
11 to get involved in it.

12 Q. So we've talked about the call-in portion,
13 we've talked about hosting debates. Do you also
14 interview -- and I think we talked about doing the news,
15 based on what you're reading. Do you also interview
16 guests?

17 A. I do.

18 Q. And do you -- do you always select the guest
19 that you're going to interview, or sometimes does one of
20 your producers suggest to you, hey, you should interview
21 this person.

22 A. In radio, the producer isn't the person
23 paying for it, you know, not like Hollywood or TV, the
24 person paying for the TV show is the producer. In radio
25 it just means the booker. Then they call in and get the

1 guest online or on Skype and they check into the person,
2 we get all these guest offers and things. In the past I
3 would do cursory stuff and sometimes mail it in with
4 guests. That's just what talk radio does.

5 I mean, I was a producer for other shows
6 25 years ago, not just my own show, and they were
7 pressuring us, I was helping produce a sports show to
8 get up to five guests an hour. So you're just calling
9 people that are already, you know, in the news, sports
10 casters or pundits, just like ESPN now, you see all
11 these different writers and talk show hosts on the show,
12 so. It's the same for political stuff, you're just
13 getting guests that are in the news that are interesting
14 and then getting their opinion about things.

15 And so now most of the time show I say, I
16 want this person, I want that person, and I'm more in
17 control of the guests that I have. But in the past we
18 let more things driven by the internet and by 4Chan and
19 8Chan that in every case I've had problems, it's been a
20 curse, I'm not attacking everybody that's on there, but
21 that's -- I tell my producer, do not touch it when it's
22 on there, because it's the kiss of death and it causes
23 nothing but problems.

24 Q. Why is it -- do you think it's important to
25 interview people who are causing a stir on the internet

1 or on social media, why do you feel like that's a good
2 thing to do in terms of your listeners?

3 A. Well, I mean, most of the time we're not
4 just interviewing people that have caused a stir. When
5 I say like there's a big controversy or there's a big
6 story, if there's riots in Hong Kong and we can find a
7 reporter who will come on the show, we'll get him on.
8 It's whatever the big topic is. That's just how news
9 is.

10 And more and more I don't really follow
11 the news model of covering the news. In the past I did.
12 But we still do it a lot. But now I mainly just talk
13 about philosophy or the big picture and then have some
14 guest on. And the show has gotten more Christian,
15 because I'm a Christian, but as things progress, all
16 things happening in the world, I'm moving more towards
17 doing a self help life experience type show than the
18 political show.

19 In fact, I'm trying to segue out of this,
20 just because I think we have to change individuals, kind
21 of like Scarlett was saying earlier, more than we're
22 going to change the world, if we can't change ourselves,
23 then we're never going to be able to change the world.
24 And I've made a lot of mistakes and I've learned a lot
25 in that process, and I've also learned how the corporate

1 media is able to completely manipulate a story once
2 you're caught in it, and then manipulate other people.
3 And, if anything, I want to teach people about how that
4 process works.

5 Because they say I'm the mastermind how to
6 manipulate people and I didn't have the understanding of
7 it coming -- and now I've seen it from the inside, the
8 way the stuff goes on, and I -- again, I think only
9 getting the individual awake and aware and not under its
10 control is the way to beat it. And you can't just cover
11 a bunch of news and get somebody to understand that, you
12 can't be told about the matrix, you've got to see it.

13 Q. I hear you.

14 Let's slow down a little bit, and I want
15 to ask you about sort of how your, with these
16 responsibilities, how your typical day sort of shapes
17 up. Okay? How many hours a day are you on the air?

18 A. I'm on the air about four hours a day.

19 Q. And since when have you been on the air
20 about four hours a day?

21 A. I've been on the air four hours a day since
22 about 1997, '98.

23 Q. And in order to prepare for those four hours
24 that you're going to be on the air every day -- well,
25 let me ask you this, how many days a week?

1 A. I'm on the air six days a week.

2 Q. So, in order to prepare for four hours a day
3 six days a week, how many hours per day do you spend on
4 prep for your show?

5 A. I spend about two hours at night and about
6 two hours in the morning, and then I do some research in
7 the afternoon.

8 Q. In addition to prepping for your show for
9 about four hours and being on the air for about four
10 hours, do you have other responsibilities?

11 A. I do.

12 Q. And what are your other business
13 responsibilities?

14 A. Well, we don't have a lot of sponsorship,
15 because with sponsorship comes the control of the
16 sponsor's political views. And so, we sell books and
17 films and other things to fund ourselves, and then
18 you've got to source that, you've got to have that, you
19 have to get good deals on that because a lot of times,
20 like in the case of foods, we're only making 20 or
21 30 percent on it. So it's -- you're competing against
22 Amazon and so I've got to really spend some time on
23 that.

24 Q. And about how many -- so, about how many
25 hours per day do you spend on general business

1 administration, as well?

2 A. Two or three hours.

3 Q. So, your average day, would you say, is
4 somewhere between 11 hours, 12 hours a day?

5 A. Yes.

6 Q. Six days a week?

7 A. Yes.

8 Q. Do you depend on other people to help you
9 produce your show and decide what you're going to talk
10 about?

11 A. I do. I depend on my crew and I depend
12 on -- I mean, really what they do is they just give me
13 hundreds of clips that are mainstream news, alternative
14 news, things that are happening, video clips, and I'll
15 sit there on my computer and just review them. And then
16 I tell them, just print me the top stories off of 10 or
17 15 news sources, and I say, go through everything,
18 randomly change it up. So, everything from Japanese
19 news to news in Mexico to, you know, the BBC to the *L.A.*
20 *Times*, to just everything, and then also alternative
21 media.

22 But more and more we just show clips of
23 what's actually happening out in the world, it's not
24 disputed, there's just stacks on news. You would be on
25 air 24 hours a day. All you're doing is like a curator,

1 just showing people, hey, we looked at this, we think
2 it's interesting, we looked at that. The idea that
3 there's like certain stories that are like these big
4 bonanza stories that we focus on is just not the case,
5 there's a glut of news and information.

6 Q. So we've talked about your responsibilities
7 and your duties and your workday at InfoWars. Do you
8 also appear on other people's shows?

9 A. Yes, I've been on thousands of different
10 programs in the last 27, 28 years.

11 Q. Any that we would have heard of?

12 A. I've been on Howard Stern and on his network
13 many times, I have been on Joe Rogan's show many times,
14 even predating his current podcast, I've known him
15 25 years. I've been on The View, I've been on Piers
16 Morgan, I've been on 20 or 30 BBC shows, I've been on
17 Japanese television, I've been on -- I've been on Saudi
18 Arabian TV, I've been on Israeli TV, I've been
19 basically -- I've been on Brazilian television,
20 Brazilian radio, Mexican TV and radio. I mean, I've
21 been on basically a lot.

22 Q. Let's focus in -- in the year 2012, how many
23 hours per day was InfoWars broadcasting, not just your
24 show but everything.

25 A. Well, there's broadcasting and then there's

1 just videos that we're uploading. I mean, I would
2 say --

3 Q. How many hours of content per day?

4 A. Six hours, seven hours.

5 Q. Okay. And in 2013 about how many hours per
6 day?

7 A. 2018?

8 Q. No, 2013.

9 A. Oh, 2013. Same amount.

10 Q. And 2014?

11 A. I would say a little more, maybe seven.

12 Q. And 15?

13 A. The same.

14 Q. 16?

15 A. The same.

16 Q. 17?

17 A. Sorry, just one second. I'm sorry. My torn
18 larynx. That's why I voice is like this.

19 So, sorry, what were you saying?

20 Q. I was asking you how many hours per day
21 content is being produced and uploaded or streamed on
22 InfoWars in 2017.

23 A. Probably seven, eight hours, as well.

24 Q. And '18?

25 A. Then it increases to ten hours a day, or in

1 '17 it did.

2 Q. Okay.

3 A. In '17 it increases to ten hours a day, and
4 then in -- and then it stayed about that.

5 Q. It stayed constant now at about ten hours
6 per day since then?

7 A. There's ten hours that's always there if
8 it's talk radio on TV, and then we also put on some
9 other reports and videos.

10 Q. Okay. So, the answers you just gave us of
11 seven hours per day basically up until 2016 and then,
12 starting in 2017, ten hours per day, that is content
13 that's on the radio that's being streamed.

14 A. And being picked up by some radio stations.

15 Q. So, as we sit here today, since 2017
16 InfoWars has been producing about 3,120 hours of content
17 per year?

18 A. I haven't done the math. Is that what that
19 calculates out to?

20 Q. I will represent to you that it is.

21 A. It's, I mean, six days a week, we have a
22 little bit less on Sunday, sometimes we do stuff on
23 Saturday. I mean, that sounds about right. There's no
24 exact number. I never -- we never organized it all, so
25 I don't know.

1 Q. When did you start bringing on other hosts
2 that have their own programs?

3 A. I think we started the nightly news in like
4 2000 and -- like 2015? I don't have the exact dates.
5 So, we started the nightly news that David Knight and
6 Lee Ann McAdoo and others would host sometime before the
7 2016 election.

8 Q. How did you pick who was going to be the
9 first host for the nightly news?

10 A. Well, I hosted it several times and so did
11 David Knight mainly.

12 I'm sorry, I have a really bad deal here.

13 Q. Do you need some more water?

14 A. No, it's a torn larynx. It's gotten a lot
15 worse. It's real bad this week, losing your voice like
16 that. It will get better in a minute.

17 What were you saying?

18 Q. I was asking if --

19 A. Sorry, go ahead.

20 Q. If David Knight won a contest in order to be
21 on the show.

22 A. Yes, he did.

23 Q. Tell us about how that worked.

24 A. We had a contest of news videos and reports
25 of the best -- and I don't think he won, I think he

1 entered the contest but then we -- we hired him. He
2 came out with his family from North Carolina. He was an
3 engineer, and also had done a lot of writing for
4 publications and things. And so, he was just a natural
5 for the show.

6 THE COURT: Mr. Jones.

7 THE WITNESS: Oh, thank you very much.

8 I'm sorry. I just about to have surgery
9 on this, it's been like this for ten years but it's
10 really bad now.

11 THE COURT: That's the exception to the
12 food in the courtroom rule.

13 THE WITNESS: Sorry, go ahead.

14 BY MR. REYNAL:

15 Q. Alex, you obviously have a very busy work
16 schedule to yourself, for yourself. Do you tell the
17 other hosts what to say or what to cover?

18 A. We're starting to. I mean no, not in the
19 past, not really, very rarely other than I try to pick
20 people that already have done shows that I've seen their
21 work that I think are trying to tell the truth that are
22 smart and who are funny. I think we got a pretty good
23 job of that. But they're definitely -- we're trying to
24 put in more oversight and be more careful, obviously,
25 about what we do.

1 We definitely learned a lesson from this
2 process of not just things we did wrong but how people
3 misrepresent what we've done.

4 Q. Is it fair to say that yourself and most of
5 your hosts are self taught through the radio business?

6 A. Owen has a degree in media, but he will tell
7 you he didn't learn anything with that, it was all
8 working at those radio stations from the bottom up, he
9 got on air. It's the same way -- Owen has a similar
10 deal than I did, I mean, I volunteered when I was in
11 talk radio, I wasn't paid the first six months and then
12 I got into sales and things, but I was doing producing
13 for sports shows.

14 We -- I even got hired by the Howard Stern
15 show to do an interview with Dennis Hopper and some
16 other folks at a big film festival at the governor's
17 mansion. So, I did that and I worked for Howard Stern
18 on that job. So, I was doing everything. And then that
19 was unpaid, to do that.

20 Q. Would you say that your organization is more
21 like a radio show or more like a newspaper like the
22 *Austin Statesman*?

23 A. No, we don't pretend to be, we're more like
24 the op ed page of the newspaper, giving our opinion,
25 than, say, the investigative journal section or

1 something. So yes, we're like the op ed. Or we're like
2 the funny papers, as well. I mean, we've got really
3 serious stuff we do, where we say, here is the
4 documents, here is what they said, this is what's going
5 on. And then we also have the op ed opinion stuff we
6 do, which is what talk radio is.

7 And then we also have satire and, you
8 know, things like that where it's completely obvious
9 that I'm dressed up in like Cobra Commander but I'm not
10 actually Cobra Commander, people know that's a joke.

11 Q. Let's talk a little bit about where you get
12 your funding. When is the last time you had a corporate
13 sponsor for InfoWars?

14 A. You mean a big one?

15 Q. Yeah.

16 A. I had some corporate sponsors when I was
17 against George W. Bush and the war. We lost a lot
18 because we were antiwar, but we still had some big once.
19 We had like car companies, clothing lines, everything.
20 We were making a lot of money to expand the operation
21 going back to about 2005, up to when Obama got in, and
22 then being antiwar was not allowed anymore for whatever
23 reason. I wasn't anti-Obama, I was antiwar.

24 So, I continued being antiwar. Then we
25 lost all our sponsors, we lost -- that was almost -- it

1 was about 80 percent of the money we were making were
2 sponsors, we lost about \$10 million that was gross money
3 to fund the operation right away when we didn't toe the
4 line with all the wars.

5 Q. And so, when you lost all that corporate
6 sponsorship because of your position against the war,
7 did you transition to a different business model?

8 A. Yes. We had already been selling some books
9 and films, but we accelerated it. And I said, well, I'm
10 not going to let them shut me down, I said this on air,
11 I said, you want to shut us down, we're \$10 million a
12 year, I remember saying, I'm going to go to \$70 million
13 a year and I'm going to put it into everything and we're
14 going to advertise, we're going to explode. And so that
15 was my promise, and I fulfilled it.

16 Q. And why is it important for you to be self
17 funded?

18 A. That's what the system fears. It's actually
19 come out in some of the presidential library documents
20 out of Little Rock that they've -- it was the system
21 fears any independent organic media, whether it's
22 liberal or conservative, that isn't controlled by the
23 big corporations. They want to think left or thing
24 right. That's synthetic. And by fake, they're real
25 groups, they just kind of toe the line, stay within

1 certain guardrails, and then society doesn't ever change
2 for the better.

3 Instead we need independent, grassroots
4 media that is self funded, whether it be through
5 donations or whether it be through product sales, so
6 that we can have real diversity of ideas in this world
7 we live in.

8 Q. What do you -- you use the term "synthetic"
9 as well as "fake." What do you mean when you say
10 "synthetic"?

11 A. You know, there's a lot of military terms
12 that I learned just by researching psychological
13 warfare, because I knew that they were using it against
14 us. So I went in the last 20 years, got some of the
15 declassified once. But a synthetic event is real stuff
16 happening but they put in place people to help it happen
17 and kind of provocateur to get it started.

18 It's like you have two pit bulls killing
19 each other, that's a real event, but people that throw
20 them in that pin together for that fight, they made it
21 happen. They brought the dogs there, they raised the
22 dogs, they train them how to fight, they threw them in
23 the pit. So, there's two dogs really killing each
24 other, but it's synthetic because people made it happen.

25 So, when I talk about staged, most of the

1 time, I mean, they knew it was going to happen and they
2 stood down and let it happen.

3 And that was my view the first few years
4 of Sandy Hook. Anybody can pull up the *Washington Post*,
5 you name it, about FBI going out there and threatening
6 to shoot the school, nothing being done, the same story,
7 CIA, they were hacking stuff. That's where I thought it
8 was really suspicious up front because those telltale
9 signs that we've seen before of those type of synthetic
10 connections. Which don't always mean it was staged, but
11 that's the type of things people look for.

12 So, you've got different types of false
13 flags, you've got synthetic is a way to describe it
14 really happened but there were forces in there letting
15 it happen.

16 Q. Is it kind of like the idea of purposefully
17 focusing people on a particular news story because you
18 want them to vote a certain way or do certain things?

19 MR. BANKSTON: Objection, your honor.

20 THE COURT: Wait, wait.

21 MR. BANKSTON: Objection, leading.

22 THE COURT: Sustain.

23 BY MR. REYNAL:

24 Q. Give us another example of how that would
25 work.

1 A. Well, take that clip earlier today they
2 aired. At the beginning of the clip I say, I believe
3 Scarlett Lewis is real, I believe her son died, I'm very
4 very sorry, and they cut that off the front, and then
5 they cut me saying I'm sorry off the end. And they
6 brought a real clip but it's synthetic to try to deceive
7 you. And I hope you get to see the real clip and then
8 you'll figure out everything else that's been going on.

9 Q. Let's go back to InfoWars and its business
10 model.

11 Do you sell vitamins?

12 A. Yes.

13 Q. Are your vitamins FDA certified?

14 A. No, they're not.

15 Q. Why not?

16 A. 1996 law, the FDA has no jurisdiction over
17 any nutraceuticals, not the once at Whole Foods, not the
18 once at GNC, and not ours. And ours are private labeled
19 top, brands that are sold at Whole Foods and GNC. They
20 have -- they are made by the top lab recognized in the
21 United States, all we do is put our label on it. So, we
22 know it's triple tested, the highest quality, and that's
23 why people love it, because it is the best out there.

24 And I'll give it to Whole Foods and I'll
25 give it to GNC and others, they've got the same stuff.

1 There's all sort of crap you can buy at a gas station
2 out there. That's not what ours is. I mean, we buy our
3 PQQ and the CoQ10 from the Japanese. I mean, it's the
4 best. Costs five times what synthetic PQQ and CoQ10
5 costs.

6 Q. Miss Karpova was asked about Plaintiff's
7 Exhibit 35, which is in evidence. I'm going to put it
8 on the camera here.

9 Can you see that?

10 A. Yes. Barely.

11 THE COURT: Do you need reading glasses?

12 THE WITNESS: No, I can barely see it.

13 BY MR. REYNAL:

14 Q. Well, let me walk it up to you, you can tell
15 us just generally what kind of document that is.

16 A. It looks like some type of sales log.

17 Q. And can you tell us what year begins in?

18 A. Looks like September, 2015.

19 Q. And can you flip to the last page and tell
20 us what year it ends in.

21 A. It ends -- it ends in December 2018.

22 Q. If you flip back to the front, can you see
23 the headings?

24 A. Yes.

25 Q. Can you see the column that -- are you all

1 right?

2 A. Yeah, don't worry, it's not COVID, it's a
3 torn larynx.

4 I'm sorry, go ahead.

5 Q. There is a column that is labeled "Invoice."

6 A. Uh-huh. Yes.

7 Q. Would that represent gross sales?

8 A. I believe so.

9 Q. And let's flip to the last page and you can
10 tell us what the gross sales number is.

11 A. 165,230,000.

12 Q. Can you tell the Members of the Jury how
13 much of that represents profit versus just gross
14 revenue?

15 A. It depends on what product it is. Some
16 products make 20 percent, some products make 60 percent.
17 Like on a book, you know, it might be 20, 30 percent; on
18 food, it's that, and that's the biggest type things. On
19 supplements if they're on sale you make 50 percent of
20 it; if it's not on sale, you make, you know, more than
21 that. Sometimes a hundred percent markup. But usually
22 it's on sale. So it really all depends.

23 I can tell you bottom line numbers,
24 though, of how much money I've been paid, things like
25 that, or how much money is there.

1 Q. Before we discuss that let's talk about
2 InfoWars the organization. Would you describe it as
3 organized or chaotic?

4 A. It's a mix of both. But it is the opposite
5 of corporate and there's no corporate culture and
6 there's no -- people are very happy there overall and
7 it's very, very diverse and people stay there a long
8 time.

9 And -- but I would say the sales
10 department and the shopping cart, that's in another
11 building, it's not even there, and it's kind of like two
12 groups that don't really talk to each. So, the
13 disorganization is between people who do production and
14 the people that do the sales and the warehouse and
15 stuff, and we're trying to get that integrated. But.

16 Q. Let me -- maybe this is an easier way to go
17 after it. Let's discuss, for example, email. How much
18 email does InfoWars routinely get?

19 A. I mean, I know when we looked to comply with
20 the discovery, which we complied with, it was over 10
21 million that they had to search that was still in the
22 inbox unopened. So it was 10 million unopened and a few
23 hundred thousand opened. And that's why there's a lot
24 of stuff we never saw, because it was in the 10 million
25 emails.

1 Q. So, about how much email would you say you
2 get on a given day, just sent by random people?

3 A. I can't answer that because about ten years
4 ago I got rid of my email address because it was getting
5 20,000 a day. And so, that's -- that was one of the
6 things they didn't believe there wasn't an Alex@InfoWars
7 because, well, of course you've got an email, I'm like,
8 no, I don't. And that's like, it doesn't exist.
9 Because I can't read that, it's just I can't read 20,000
10 emails.

11 Q. How many employees would InfoWars have to
12 have in your view if you were to actually read every
13 message, every email, every tip that's sent in?

14 A. It would take 10, 15, 20 people. We would
15 go bankrupt, which we are now, but.

16 Q. Going back to -- I want to ask you a
17 question. There's a term that's been thrown around
18 during this trial of the truther community or truth
19 people --

20 MR. BANKSTON: Your Honor, I have a couple
21 of motions I'm going to need to take up outside the
22 presence of the jury. I don't know if you want to do
23 that now or wait until we're done with the jury.

24 THE COURT: That really depends on you,
25 Mr. Reynal, whether you think I need to hear them now or

1 later.

2 MR. BANKSTON: I'm worried they need to be
3 heard contemporaneously, so I would like to go ahead
4 and do them.

5 THE COURT: All right. We're going to --
6 just sit tight for a second. We're going to take a
7 break. I don't know if it will eat up the rest of the
8 afternoon or not, so I'm not going to release you in
9 case it doesn't, I want to not waste any time. And so
10 I'll send someone back if you're going to go or if
11 you're going to come back.

12 Remember all of my instructions on the
13 chance that I don't see you before tomorrow, please
14 arrive at 8:45 like normal for us to get started. All
15 right.

16 Thank you.

17 *(Whereupon the jurors exit the courtroom*
18 *and the following proceedings were held in open court)*

19 THE COURT: All right, Mr. Jones, you can
20 go back down to counsel table.

21 Everyone may be seated. You just to wait
22 until the jury is moved to their space before you can
23 leave the room. All right.

24 All right, Mr. Bankston.

25 MR. BANKSTON: I don't know what's going

1 on, Your Honor, but I need to bring a couple of motions.
2 They are for jury instructions and I'm going to go ahead
3 and bring a motion for sanctions right now on the
4 record. I know you don't want to hear it until the end
5 of trial, but the jury instruction I need now.

6 THE COURT: All right.

7 MR. BANKSTON: We have -- as you know,
8 there's been a pattern of Mr. Reynal blatantly violating
9 MILs and court rules. Mr. Reynal just absolutely
10 solicited direct testimony from Mr. Jones that he is
11 bankrupt. Mr. Jones just testified straight into the
12 record that he's bankrupt. Which is not true. Which is
13 a sham that's going on right now which Mr. Jones pulled
14 \$60 million out of his company last year.

15 But the most important part, Your Honor,
16 is you have a motion in limine entered in this case that
17 is no uncertain terms that they cannot, due to violating
18 your orders repeatedly to provide net worth information,
19 they cannot imply evidence of net worth.

20 Mr. Jones just intentionally did that in
21 violation of your order to attempt to poison his
22 compensatory damage verdict, to try to tell this jury
23 that he's broke, when he's not. And that's in violation
24 of your order. And Mr. Reynal drew that right out of
25 him, totally expecting that to happen. It was very

1 obvious from the question he asked he wants Mr. Jones to
2 tell this jury he's broke. That is ridiculous.

3 The second is that he absolutely --
4 Mr. Jones just wholly testified that "we complied with
5 discovery." I am, under the standing MIL, not permitted
6 to mention discovery disputes, but we both know
7 Mr. Jones did anything about comply with discovery and
8 did that for four years, thumbing his nose in the face
9 of this Court in rank contempt.

10 There needs to be an instruction to the
11 jury that he did not comply with discovery. That
12 materials that were repeatedly ordered by this Court
13 were not turned over. Some of that includes his net
14 worth information. And I would also like an instruction
15 to the jury to disregard and strike his comments about
16 him being bankrupt, which they are to take as having no
17 evidentiary value and is not true. Otherwise, I am
18 deeply prejudiced going forward.

19 The other thing that Mr. Jones testified
20 to is that he doesn't communicate by email. Doesn't
21 have emails to turn over. You know from a motion for
22 sanctions that involved Defendant's former counsel
23 tampering with evidence that they tampered with a piece
24 of evidence to hide the fact from me that Mr. Jones does
25 have an email and was communicating with it. To this

1 date we still don't know what that email is, we don't
2 know, they haven't produced any of it. But Mr. Jones is
3 just repeatedly lying on the stand in ways that I cannot
4 counter because they deal with your discovery rules.

5 I want the jury to be instructed to
6 disregard all of that testimony; that it has been
7 already found by the Court that Mr. Jones does have an
8 email, that he did not turn those emails over, and did
9 not admit and denied the existence of that email; that
10 he did not comply with discovery; that he is not
11 bankrupt, and the jury is not to consider any of that.

12 Additionally, on top of those
13 instructions, we are now formally moving for sanctions
14 against both Mr. Jones and Mr. Reynal, who we believe
15 intentionally solicited testimony to sabotage this jury.
16 And I would not normally make that accusation so openly
17 against a fellow attorney, had that attorney not
18 continually violated rules of this Court on every single
19 day, including, before putting Mr. Jones on, clearly
20 attempting to solicit from a witness an attorney-client
21 communication earlier to this day. Which, as we've seen
22 him violate rules that a first-year law student should
23 know, a first-day law student should know not to ask the
24 plaintiff about her communications with counsel.

25 This is absolutely in bad faith;

1 therefore, we would like the jury instructions and we're
2 filing a motion for sanctions.

3 THE COURT: Would you like to respond,
4 Mr. Reynal?

5 MR. REYNAL: If Your Honor thinks it's
6 necessary, I will. I think that Your Honor can review
7 the transcript of my questions, I don't think my
8 questions elicited that testimony. I'm sorry that that
9 came out, I don't think that there was anything I could
10 have done in my questioning of that that would have
11 prevented it from happening.

12 I know that Your Honor has contemporaneous
13 transcript and can look it over. So, I would urge you
14 to do so because I, you know, I'm sorry it happened, I
15 tried to move on very, very quickly, I think Your Honor
16 saw me raise my hand, but I can only ask the questions.

17 THE COURT: Let me ask Mr. Jones a couple
18 of questions while you're under oath.

19 THE WITNESS: Yes.

20 MR. REYNAL: Stand up.

21 THE COURT: What did your attorney tell
22 you about your testimony today? Not -- I want to be
23 very careful. Were you instructed that there were some
24 things you could not testify about?

25 THE WITNESS: Yes.

1 THE COURT: And do you remember what they
2 were?

3 THE WITNESS: Yes.

4 THE COURT: And what were they? Just top
5 level.

6 THE WITNESS: I'm trying to remember.
7 First, there was a document you put out saying don't
8 talk about free speech, don't -- don't say I'm innocent,
9 and a bunch of other stuff. And then that got
10 withdrawn, I believe you withdrew it. I think called
11 motion in limine.

12 THE COURT: Okay. So, you don't remember.

13 THE WITNESS: No, no, no.

14 THE COURT: No.

15 THE WITNESS: I remember them currently.

16 THE COURT: Stop. Do you remember day one
17 where I said unfair world and you don't get to interrupt
18 the judge, do you remember that?

19 THE WITNESS: Sure.

20 THE COURT: Yeah, okay. But the judge
21 gets to interrupt you, do you remember that?

22 THE WITNESS: Yeah.

23 THE COURT: Okay. So, you don't really
24 remember what you were not supposed to testify about,
25 that's what I'm hearing. Because you said, yes, I

1 remember; no, I don't remember.

2 THE WITNESS: Let me -- I'm trying to
3 remember.

4 THE COURT: I don't want you to try to
5 remember. I don't want you to try and remember. You
6 either knew or you don't.

7 THE WITNESS: I remember him saying, don't
8 talk about -- don't talk about the financial stuff, or
9 something like that, like a week ago when I asked him.
10 And then I remember today watching part of Heslin's
11 testimony when I was coming here and him talking about
12 the bankruptcy, so I thought that was totally fine. I
13 mean, he gets to, why do I not get to do what he gets to
14 do to?

15 THE COURT: Mr. Jones, stop making -- just
16 stop.

17 THE WITNESS: Okay.

18 THE COURT: All right. You can sit down,
19 Mr. Jones.

20 THE WITNESS: Okay.

21 THE COURT: Do you have any reply,
22 Mr. Bankston?

23 MR. BANKSTON: Not really, Your Honor.

24 THE COURT: And actually, before I hear
25 from you, you know whose obligation it is, Mr. Reynal,

1 to make sure that any witness you put forward
2 understands the orders in limine, understands what he is
3 not allowed to say because of orders that I have made
4 before now. Right?

5 MR. REYNAL: As an attorney, it's an
6 impossible position to be in.

7 THE COURT: That wasn't the question I
8 asked you.

9 MR. REYNAL: I would -- I know that it is
10 my obligation to communicate Your Honor's orders.
11 Beyond that, I think that's all I need to say.

12 THE COURT: That's correct.

13 MR. BANKSTON: Your Honor, the only thing
14 I would say, and I actually probably do need to ask for
15 an additional jury instruction. During this same
16 testimony, and the reason why I do not believe that
17 Mr. Reynal was keeping a tight leash on his client for
18 MIL and why I do believe he was intentionally trying to
19 violate them, is Mr. Reynal had a long series of
20 questions about whether Mr. Jones is a pundit who merely
21 gives his opinion, does not provide facts, was not
22 stating facts, was only giving his opinion.

23 That's another one of your motion in
24 limine, that the defendants can not contest in this case
25 statements that they were giving were merely protected

1 opinions and not statements of fact.

2 That all came out intentionally from
3 Mr. Reynal. And you know, too, that the rest of his
4 testimony that he's been intentionally trying to drive
5 out the liability sections of your MIL. As we said
6 yesterday, we think he's intentionally trying for a
7 mistrial.

8 And if it really is a matter of, oh,
9 whoops, I guess I forgot to remind my client not to
10 suddenly blurt out to the jury that he's broke on the
11 day when he was screaming that he's gonna do it, right,
12 when he says, I'm going to come in there and this judge
13 ain't gonna hold me down, it's going to be her Waterloo,
14 and then he comes in here and do that, maybe we would
15 forget if he wasn't also asking questions that were
16 directly in violation of the motion in limine.

17 And Your Honor, we believe this is just
18 egregious.

19 THE COURT: All right.

20 MR. REYNAL: Your Honor, if I may on that
21 point. Just on that point.

22 Your Honor has ruled already that during
23 this phase of the trial we are to discuss, and over my
24 objection, all the issues raised by Rule 41.011. I've
25 been objecting to that.

1 THE COURT: Except net worth.

2 MR. REYNAL: Except net worth.

3 And within that, for the jury to make an
4 accurate determination, you need to talk about intent.
5 You need to talk about degree of malice. You need to
6 talk about how extreme the behavior was or wasn't. And
7 so, the testimony I'm eliciting, which I believe -- I've
8 never said, nor has any client said, that Your Honor's
9 ruling shouldn't stand. But in order for the jury to be
10 able to make a decision, they need to know the entire
11 context and they need to understand the mental state of
12 the participants. Because if not, they can't render a
13 ruling on punitive damages.

14 THE COURT: Well, the problem is, and you
15 know this and we've already had this conversation
16 multiple times in this trial, in addition to it before
17 this trial, the time for that was during discovery, when
18 Mr. Jones chose not to fully participate. It is not the
19 time to do that now. If there is anything that he would
20 like to put forth as a defense, he needed to do it a
21 year ago during the discovery process. It's too late
22 now.

23 And when you ask questions that imply or
24 outright say that he didn't know how to be a journalist
25 or he wasn't a journalist, you're calling into question

1 my ruling, which was based on a longstanding principle
2 in the law that, if you intentionally repeatedly, and
3 over years in this case, again and again, refuse to
4 participate in discovery, that is proof that you do not
5 have a meritorious defense. That was the basis of my
6 ruling. You cannot attack that in this trial.

7 For motions to -- for sanctions, you've
8 got to write them down. They're under advisement until
9 they're written down and filed. We'll take that up
10 post-trial.

11 MR. REYNAL: Your Honor, so that I don't
12 run afoul of your ruling.

13 THE COURT: I'm not done.

14 MR. REYNAL: I'm sorry.

15 THE COURT: You don't know what it is yet.

16 For the motions seeking sanctions against
17 Mr. Jones and Mr. Reynal, you have to write those down,
18 they have to be filed with the court, I'll take them up
19 post-trial. That may mean during deliberation, that may
20 mean later in August. I don't know.

21 Assume it will be as soon as I have time,
22 so file a response if you want to.

23 Mr. Jones, you may not say to this jury
24 that you complied with discovery. That is not true.
25 You may not say it again. You may not tell this jury

1 that you are bankrupt. That is also not true. You may
2 have filed for bankruptcy, I don't know that, but I've
3 heard that. It doesn't put -- that doesn't make a
4 person or a company bankrupt.

5 You're also under oath to tell the truth.
6 You've already violated that oath twice today in just
7 those two examples. It seems absurd to instruct you
8 again that you must tell the truth while you testify,
9 yet here I am: You must tell the truth while you
10 testify.

11 This is not your show. You need to slow
12 down and not take what you see as opportunities to
13 further the message you're wanting to further; and,
14 instead, only answer the specific and exact question you
15 have been asked. No asides.

16 The comments about discovery, the comments
17 about the larynx or whatever it was, the comments about
18 bankruptcy, none of those were responsive to questions.
19 They were just you abusing my tolerance and making
20 asides to the jury improperly and, in at least two
21 cases, untruthfully.

22 Do you understand what I have said? "Yes"
23 or "no." Do you understand what I have said.

24 THE WITNESS: Yes. I believe what I said
25 was true. So I don't know.

1 THE COURT: Yes, you believe everything
2 you say is true, but it isn't. Your beliefs do not make
3 something true. That is -- that is what we're doing
4 here. Just because you claim to think something is true
5 does not make it true. It does not protect you. It is
6 not allowed. You are under oath. That means things
7 must actually be true when you say them.

8 Don't talk.

9 Do you understand what I have said?

10 THE WITNESS: I do understand.

11 THE COURT: You understand the
12 instructions I have given you for your testimony in
13 court.

14 THE WITNESS: Yes.

15 THE COURT: I am not going to bring the
16 jury back today. My staff is listening, they can let
17 the jury go home, we'll start back up tomorrow.

18 When you come back to testify tomorrow,
19 one more time, no asides. Do you understand what I mean
20 when I say "no asides"?

21 THE WITNESS: Yes.

22 THE COURT: Answer only the question asked
23 of you. Do you understand what I mean when I say "only
24 answer the question asked of you"?

25 THE WITNESS: Yes.

1 THE COURT: Do you understand you will
2 still be under oath when you return tomorrow morning --

3 THE WITNESS: Yes.

4 THE COURT: -- to complete your testimony.
5 All right.

6 And you understand that that means you
7 must only testify about things that are true.

8 THE WITNESS: To the best of my knowledge.

9 THE COURT: If you don't know something,
10 you don't say it. If you're asked about your opinion,
11 you can give your opinion. But if you're asked to
12 relate something that's truthful and a fact, it must be
13 truthful and a fact. Not an assumption, not a guess,
14 not an opinion. Do you understand?

15 THE WITNESS: Yes.

16 THE COURT: All right. You can sit down.
17 Anything else.

18 MR. REYNAL: Yes, Your Honor. Just so
19 that I can make sure that I don't run afoul of Your
20 Honor's motion in limine or earlier rulings --

21 THE COURT: Just to be clear, we call them
22 motions -- I don't issue motions, I issue orders. These
23 are orders in limine and have been ordered since before
24 this trial started.

25 MR. REYNAL: Is Your Honor ordering me not

1 to explore the nature of the wrong?

2 THE COURT: That is very broad.

3 MR. REYNAL: The character of the conduct
4 involved.

5 THE COURT: You may not elicit testimony
6 designed to leave the jury with the impression that
7 Mr. Jones and Free Speech Systems did not defame
8 Mr. Heslin or that Mr. Jones and Free Speech Systems did
9 not engage in the intentional infliction of emotional
10 distress against Miss Lewis and Mr. Heslin.

11 MR. REYNAL: May I elicit evidence as to
12 the low degree of culpability that should be ascribed to
13 Free Speech Systems and to Alex Jones by virtue of his
14 education, his situation, the situation at InfoWars, and
15 what was going on?

16 THE COURT: So, Mr. Jones was too ignorant
17 to know that he was lying? Is that your defense?

18 MR. REYNAL: Your Honor, my defense is for
19 the jury, not for the Court. I'm asking whether I can
20 elicit testimony as to his mental state, to the
21 organization of the company, to the standard practices
22 in his industry, to what was going on in his personal
23 life, all to illustrate the low degree of culpability
24 that should be attributable to his conduct.

25 THE COURT: You can ask Mr. Jones

1 questions about -- similar to some of the questions or
2 all of the questions that were allowed when Ms. Karpova
3 was on the stand that kind of touch on these same areas
4 that were allowed. I think those are fair game. You
5 can ask him -- I mean, I think the answer is yes, as
6 long as you're very careful.

7 MR. REYNAL: Very well.

8 THE COURT: Anything else from you,
9 Mr. Reynal?

10 MR. REYNAL: No, Your Honor.

11 THE COURT: Anything else from you,
12 Mr. Bankston?

13 MR. BANKSTON: The only thing I want to
14 confirm with you that tomorrow morning we will be taking
15 up whether there will be instructions and should I
16 propose instructions to the court.

17 THE COURT: Yes, please propose the exact
18 instruction you would like me to give. I think it would
19 be appropriate to give those instructions, if any,
20 before Mr. Jones retakes the stand.

21 MR. REYNAL: Your Honor.

22 THE COURT: One second, please.

23 I think we need something, we need some
24 instruction. So you can do it the way you did the
25 proposed charge instruction, you can both send my office

1 an email if you would like to.

2 Yes, Mr. Reynal.

3 MR. REYNAL: Mr. Jones would like to say
4 something that's directly relevant to what we've been
5 discussing.

6 THE COURT: I am not --

7 MR. REYNAL: Very briefly, Your Honor. I
8 think it's important for my candor towards the Court
9 that you hear what he has to say.

10 THE COURT: I am not typically in the
11 practice of hearing from parties except when they are on
12 the stand. And I don't see a reason to change that
13 practice anymore than I already have.

14 MR. REYNAL: I would -- this is simply in
15 line with Your Honor's question as to what he was
16 instructed in terms of what he should testify about.

17 THE COURT: It doesn't matter at this
18 stage. I expect that you will go over the instructions
19 as you are required to do under the rules, and I'm going
20 to leave it there.

21 Anything else --

22 MR. BANKSTON: Nothing else, Your Honor.

23 THE COURT: -- from either of you
24 attorneys.

25 Okay. Well, let's do a time check. We're

1 certainly going longer than I think we had all sort of
2 hoped. Mr. Reynal, you've used 10 hours and 33 minutes,
3 and today is very inflated, all the breaks I just
4 attributed to extra, so it looks like we worked -- well,
5 we have worked, but it's more than five and a half hours
6 for today.

7 So, the sort of extra category is seven
8 hours and 6 minutes. And Mr. Reynal, for your side it's
9 17 hours and 3 minutes. So, I haven't done the -- hang
10 on one second. Let me figure one thing out.

11 Yeah, so, today it's all out of whack
12 because it's well over six hours and I don't
13 calculate -- I calculate five and a half a day. Anyway,
14 I think we're okay.

15 I'm going to say that we need to
16 conclude -- I think we will run into a problem and run
17 out of time potentially if we go past the lunch hour
18 with evidence.

19 Do you have a witness once Mr. Jones is
20 finished?

21 MR. REYNAL: Mr. Jones is our only
22 witness.

23 THE COURT: Okay. So, hopefully we can
24 get that taken care of.

25 Anything else on the record?

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MR. BANKSTON: No, Your Honor.

THE COURT: We can go off the record.

(End of proceedings.)

1 REPORTER'S CERTIFICATE

2 THE STATE OF TEXAS)

3 COUNTY OF TRAVIS)

4 I, Alicia DuBois, Official Court Reporter
5 in and for the 459th District Court of Travis County,
6 State of Texas, do hereby certify that the above and
7 foregoing contains a true and correct transcription of
8 all portions of evidence and other proceedings requested
9 in writing by counsel for the parties to be included in
10 this volume of the Reporter's Record, in the
11 above-styled and numbered cause, all of which occurred
12 in open court or in chambers and were reported by me.

13 I further certify that this Reporter's
14 Record of the Proceedings truly and correctly reflects
15 the exhibits, if any, offered in evidence by the
16 respective parties.

17 WITNESS MY OFFICIAL HAND this, the 1st day
18 of October, 2022.

19 /s/ Alicia DuBois
20 Alicia DuBois, CSR
21 Texas CSR 5332
22 Exp. Date: 1/31/24
23 Official Court Reporter
24 459th District Court
25 Travis County, Texas
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